

The complaint

Ms F and Ms F complain about how AXA Insurance UK Plc recorded a claim on their home insurance policy.

What happened

Ms F and Ms F hold a home insurance policy with AXA. Following a period of heavy rainfall their home was damaged by water entering their property because of a blocked drain owned by the local water company.

AXA accepted the claim and recorded it as a flood claim. But Ms F and Ms F don't think that's fair because it's made it much more difficult for them to get insurance going forward – because they say many insurers now see their property as a flood risk. They think it would be fairer to record the claim as an escape of water.

AXA said it understands why Ms F and Ms F are concerned, but it feels it's accurately and fairly recorded the claim as a flood.

Ms F and Ms F remained unhappy and brought their claim to us.

One of our Investigators didn't think it should be upheld. He too thought the claim was fairly recorded as a flood claim based on the circumstances.

Ms F and Ms F didn't agree and asked for an Ombudsman's decision.

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'm not upholding it. I'll explain why.

- I understand why Ms F and Ms F aren't happy with how their claim has been recorded. And I understand the impact caused by having the claim recorded as a flood is having.
- But, I'm satisfied AXA is acting fairly when recording the claim as a flood claim. Ultimately water entered the property from an external source following heavy rainfall.
- I accept this most likely wouldn't have happened had the drain not been blocked. But it could also be argued that it also wouldn't have happened had the weather not been what it was in the lead up to the incident.
- In any event, there was no escape of water from the property. The water entered from an external source and so I'm satisfied that's fairly been recorded as a flood.

- I understand Ms F and Ms F aren't happy with the advisor on the first call changing the claim to a flood in order to charge a lower excess. But ultimately I don't think this is pivotal to how the claim is recorded.
- It's been recorded based on the circumstances that caused the damage. And as set out above, I'm satisfied that's fairly been determined and recorded as a flood.
- I can't fairly hold AXA responsible for how other insurers assess this risk once they know all the details of it – I can only consider whether it's accurately recorded this claim. And I'm satisfied it has.

My final decision

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms F and Ms F to accept or reject my decision before 15 December 2023.

Joe Thornley
Ombudsman