

The complaint

Mr and Mrs R complained that their claim was unfairly declined, and their home contents policy cancelled by esure Insurance Limited ("esure").

What happened

Mr and Mrs R made a claim for a lost wedding ring. They said the ring was lost whilst carrying out some garden improvements. When esure reviewed and validated the claim, it felt there were inconsistencies presented with the circumstances. It asked Mr and Mrs R for further information to help alleviate its concerns, but as this wasn't forthcoming it decided to decline the claim.

esure said after an investigation by its claims team it was discovered that some of the details of the claim were manipulated, so it chose to cancel the policy.

Mr and Mrs R think they've provided sufficient information to esure. They feel like they've been treated as criminals and say they've been traumatised. They want their insurance reinstated and claim honoured.

Our investigator decided not to uphold the complaint. She thought esure were fair in declining the claim as she didn't think Mr and Mrs R had proven they had a valid claim. She thought the information esure requested was reasonable, and as this wasn't provided she felt esure had been fair to cancel the policy in line with the policy terms. Mr and Mrs R disagreed, so the complaint has been referred to 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.

I've started by considering what the rights of esure are to cancel the policy – this is set out on pages 34 and 35 of the policy. The policy states:

"We have the right to cancel Your Policy at any time by giving You seven days' notice in writing where there is a valid reason for doing so".

"Valid reasons may include but are not limited to:

- Where You are required in accordance with the Terms of this Policy to cooperate with Us, or send Us information or documentation and You fail to do so in a way that materially affects Our ability to process a claim, or Our ability to defend Our interests. In this case We may issue a cancellation letter and We will cancel Your Policy if You fail to co-operate with Us or provide the required information or documentation by the end of the seven-day cancellation notice period".*

Therefore, I think if esure can demonstrate a lack of co-operation from Mr and Mrs R when it was validating the claim, then I'd say esure was fair in cancelling the policy as the policy sets

this out as a remedy.

I can see esure were uncomfortable with inconsistencies with the claim – so I think it was reasonable to ask for further evidence from Mr and Mrs R.

I can see esure was particularly concerned as the term engagement ring and wedding band were used interchangeably during the claim by Mr and Mrs R. Mrs R explained she only had one ring, a wedding band with diamonds embedded into it which is why she sometimes referred to the ring differently.

However, I can see as part of esure's investigation it has shown Mrs R wearing two rings on her wedding finger from a social media post, one of which seems to have raised jewels on it. I think esure were reasonable to see this as suspicious, so asked Mrs R to provide photographic evidence of her wearing only one ring on her wedding finger which matched the description she provided. Mr and Mrs R didn't provide this information to esure.

Whilst there were other inconsistencies esure had issue with, I don't feel I need to consider these. By not providing the evidence esure requested above, I think esure has reasonably shown that Mr and Mrs R haven't co-operated fully with the investigation. Therefore, as esure has cancelled the policy in line with the policy terms, I think it has been fair to do this.

Likewise, the failure of Mr and Mrs R in providing this information to esure has meant Mr and Mrs R haven't been able to prove the loss of the specific ring that Mrs R described. So, I don't think esure has done anything wrong by declining the claim. I have no doubt if it was provided with this evidence it would re-consider the claim. However, based on the evidence I can see, I don't uphold this complaint. I don't think esure has done anything wrong.

My final decision

- My final decision is I don't uphold this complaint, I don't require esure Insurance Limited to do anymore.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R and Mrs R to accept or reject my decision before 14 November 2023.

Pete Averill
Ombudsman