

## The complaint

A company that I'll refer to as T complains that Accredited Insurance (Europe) Ltd turned down a claim on its commercial vehicle insurance policy.

Mr B, a director of T, has complained on T's behalf.

## What happened

One of T's vans was stolen from its employee's home address, so T claimed on its policy with Accredited. Accredited reviewed the claim and turned it down. They said as the employee hadn't held a UK licence for over two years then he wasn't covered by the policy.

T didn't think this was fair and complained. It said the employee was 23 days away from having their UK licence for two years. T also said as the claim was for a theft it didn't think the length of time their employee had a licence for made a difference. Accredited reviewed the complaint but didn't uphold it, so T referred its complaint here.

Our investigator reviewed the complaint and recommended it be upheld. She found that as the claim was for a theft of the van, she didn't think it made a difference to how long the last driver had held a UK licence for. Accredited didn't agree, they said as the employee shouldn't have been driving the van then it would never have been at their home address.

I issued a provisional decision on 15 November 2022 where I said:

*"T's policy schedule lists several endorsements to the policy. The one Accredited have relied upon to turn down the claim says:*

*"This Insurance Policy shall not operate whilst your vehicle is being used by or is in the charge of any person under twenty-five years of age or is the holder of a provisional driving licence or who is twenty-five years of age or over but has had less than two years driving experience, under the type of licence required, in the United Kingdom other than the following person(s)."*

*The employee who had last driven the van and whose house it was outside when it was stolen isn't listed on the schedule. However, I'm not persuaded they needed to be, and it therefore follows that I'm not satisfied Accredited have fairly turned down this claim.*

*I say that because the term says that those who are over 25 need to have two years driving experience under the type of licence required within the UK. T has explained that their employee is over the age of 25 and had moved to the UK from a country outside of the European Union, and that they had a driving licence in that country for several years.*

*The UK Government's website explains that if you move to the UK and had a full car and motorcycle licence in the country you moved from. Then you can drive on that for 12 months from when you become a resident in the UK. I can also see that T's employee was 23 days off having their full UK driving licence for two years. It would therefore appear that when*

*adding the initial 12 months to the 23 months he'd held the UK licence he most likely had two years driving experience under the type of licence required in the UK and so met the endorsement on the policy.*

*As I'm not persuaded Accredited have shown T's employee didn't meet the endorsement on the policy, I'm not satisfied it's fair and reasonable for them to turn down the claim. To put things right Accredited therefore need to pay the claim for the stolen van, in line with the remaining terms and conditions of the policy."*

T didn't respond to my provisional decision. Accredited responded and said they didn't have any further comments.

### **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.

As neither T nor Accredited have any further comments in response to my provisional decision, I see no reason to depart from it.

### **My final decision**

For the reasons explained above, my final decision is that I uphold this complaint. I require Accredited Insurance (Europe) Ltd to pay T's claim for its stolen van in line with the remaining terms and conditions.

Under the rules of the Financial Ombudsman Service, I'm required to ask T to accept or reject my decision before 6 January 2023.

Alex Newman  
**Ombudsman**