

Cross-product liability Principles for EV home charging

A good practice guide on claims handling for Home and Motor insurers

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About us

The ABI is the definitive voice of the UK’s world-leading insurance and long-term savings industry, which is the largest sector in Europe and the third largest in the world.

We represent more than 300 firms within our membership including most household names and specialist providers, providing peace of mind to customers across the UK.

Our sector is productive, inclusive and essential to the UK economy and together, we are driving change to protect and build a thriving society.

Find out more at abi.org.uk

1. Executive Summary

The ABI and its members are committed to supporting customers as they move towards the use of electric vehicles. We want to help customers navigate change and make the adoption of electric vehicles as smooth and straightforward as possible.

Alongside this, we recognise that advancing technology presents new challenges for the insurance industry. As more people install EV chargers at home, there's a need to support both industry and customers with clarity on whether claims arising from any related incidents sit under motor or home policies. There may also be claims which overlap across both products.

The following information is designed to help clarify which insurance policy will generally apply to damage to, or caused by, an EV while charging at a private home, helping to ensure a straightforward and efficient claims process. While its primary purpose is to guide insurers on best practice for claims handling, it also serves to assist consumers in understanding what steps to take should they need to make a claim relating to their EV charging equipment.

This document is not exhaustive; each claim will be considered by the handling insurer(s) on a case-by-case basis. Where there are disagreements, these should be resolved between firms.

2. Definitions

- **Tethered Charger** - A tethered home charger for an EV is a type of wall box setup that has a cable attached for plugging into the car.
- **Un-Tethered Charger** - An untethered car charger doesn't have the fitted cable that tethered units have. These types of wall boxes have an outlet for the charging cable to plug into.
- **Portable Charging Equipment** - A portable EV charger works on the same principle as a power bank to provide an EV with enough miles to reach a charger. They're currently only available for commercial use in the UK.
- **Charging Cable** - An EV charging cable is a cable that connects an EV to a power source or charging station.
- **Three-Prong Chargers** - A charger that would plug into a home three-prong outlet. Up to 3kW AC. Many new EVs are no longer supplied with a cable for three-pin charging.
- **Non-Manufacturer Chargers** - Non-manufacturer chargers for electric vehicles (EVs) are charging devices that are produced by third-party companies rather than the original EV manufacturer. These chargers can vary in terms of power levels, charging speeds, compatibility, and features.

3. Principles - Home or Motor Insurance

To provide clear and practical guidance on the handling of claims involving EV chargers, the following principles set out when a Home Insurance Policy or a Motor Insurance Policy would typically respond, based on common policy coverage. This approach is intended to help insurers and consumers understand which policy to consider in various scenarios.

Home Insurance Policy

- a) If an EV charger is permanently installed (hard-wired) as part of the property, damage to the charger itself, or to the buildings or contents resulting from its use, would typically be covered under a home insurance policy.

- b) Where the use of an EV charger causes accidental damage or injury to a third party, and the incident does not arise directly from the use or operation of a vehicle, the liability element of a home insurance policy may respond, subject to policy terms.

Motor Insurance Policy

- c) Damage to the vehicle itself, or to accessories such as untethered charging cables that are not fixed parts of the property, would generally fall under a motor insurance policy, provided the customer holds fully comprehensive cover.
- d) If the use of an EV charger leads to damage or injury to a third party and the incident is considered to arise from the operation or use of the vehicle, the claim would typically be handled under the liability provisions of the motor insurance policy.

For the avoidance of doubt, the mere fact that a charger is fixed to a building does not itself create liability stemming from the use or possession of a motor vehicle; it is essential that the use of the charger is the direct cause of any damage or injury.

Although a claim may be made under an insurance policy, whether liability actually attaches to the insured individual will depend on the specific circumstances and the legal position applicable to that type of liability. Notably, should a charger cause injury or loss to a third party due to a defect in the product, and the customer is not at fault, the proper legal recourse may be against the manufacturer or supplier of the charger, rather than the customer.

References throughout this document to a 'home policy' are made under the assumption that standard buildings, contents, and liability covers are included; where these covers are not all present, readers should interpret the guidance accordingly. Furthermore, it is important to clarify that 'use' of the charger does not require it to be physically connected to the vehicle at the time of the incident, as liability may still arise in other scenarios.

These principles are intended as general guidance. The specific circumstances of each incident and the detailed wording of the policies in place will ultimately determine which insurer is responsible for handling the claim.

4. 'Silent' EV

Many policy wordings remain silent on cover in relation to losses and liabilities arising from EV charging. This means that in the event of a loss, a customer will be required to 'work out' whether a loss is covered by considering the circumstances of the loss against the policy wording. In many cases, policy wordings were drafted before the growth in EV use and ownership and, as such, do not address the specific issues arising from EVs. Firms should consider updating consumer policies to specifically address such issues. For example, the definition of 'buildings' and 'contents' in home policies could be updated to specifically include or exclude EV chargers and charging cables, as applicable. Equally, motor policies, particularly where the insured vehicle is an EV, could specifically include untethered charging cables in the definition of 'accessories'. This would create better customer clarity over the scope of cover and as to which policy responds to any given claim or loss.

5. Common Scenarios

To support the principles set out in this document, we have set out below a series of common scenarios in both Home and Motor Insurance relating to Electric Vehicles (EVs). The scenarios have been split into 2 broad categories, namely:

- Property damage – these scenarios consider situations in which the customer’s own property has suffered loss or damage as a result of EV charging
- Liability to third parties – these examples consider scenarios where the EV charging has caused bodily injury or property damage to a third party

5.1 Property damage

Nature of Loss	Typical Home Insurance Position (subject to terms, conditions and exclusions)	Typical Motor Insurance Position (subject to terms, conditions and exclusions). The policyholder's NCB may be impacted.	Which policy typically responds?
Damage to the fixed charger (including the cable in tethered units)	Damage to the charger is covered by the buildings cover within home insurance to the extent the charger is affixed to the building, unless the cause of damage is excluded (for example wear and tear, faulty workmanship or design)	Damage to the fixed charger is not covered by motor insurance to the extent the charger is affixed to the building	Home
Damage to the untethered charging cable or portable charging equipment	Not typically covered under buildings cover, and likely to be excluded under contents and personal belongings covers as a motor accessory	Cover may be available as an accessory under motor insurance, subject to common exclusions such as faulty workmanship/design	Motor (if fully comprehensive)
Damage to the customer’s own buildings and contents	Cover for buildings and contents is covered under home insurance	No cover for buildings or contents of the home under motor insurance policies. However, the home insurer may seek a recovery against the motor insurer if such damage is caused as a result of the vehicle being charged (i.e. from the ‘use’ of the vehicle)	Home

Damage to the vehicle	Damage to vehicles is excluded from most home policies (with some limited exceptions such as golf buggies, motorised mobility devices and gardening equipment)	Covered, provided fully comprehensive cover in place (or third party, fire and theft where damage caused by fire)	Motor (if fully comprehensive or third party, fire and theft)
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5.2 Liability to third parties

Nature of Loss	Typical Home Insurance Position (subject to terms, conditions and exclusions)	Typical Motor Insurance Position (subject to terms, conditions and exclusions). The policyholder's NCB may be impacted.	Which policy typically responds?
Injury or damage caused whilst charger <i>is</i> connected to the EV	Liability cover within home policies usually excludes liability arising from ownership / use of a motor vehicle	Motor insurance will cover liability arising whilst on a road or in a public place under the RTA legislation (noting that ‘road’ and ‘public’ places are generally interpreted widely under the RTA). This would include public charging stations, for example those in service stations and car parks). Liability arising during charging on private land is outside of the RTA and therefore not covered under a standard motor policy	Depends on whether liability arises from ‘use of the vehicle’
Injury or damage caused whilst charger <i>is not</i> connected to the EV	Policy response depends on whether liability arises from ‘use’ of the vehicle. If, e.g. the charger discharges and causes a fire, likely arises from use of the vehicle and therefore excluded from home policy. However, if a third party trips over a charger that has been left in an unsafe place when not in use, the ‘use of vehicle’ exclusion is unlikely to apply, and the home liability policy would respond	Motor insurance will respond only to the extent the liability arises from the ‘use’ of the vehicle, for example in the event of an electricity discharge (which only arises as a direct result of the act of charging). Injury and damage that does not relate to the use of the vehicle (such as trips over chargers that are not connected to the vehicle at the time) are not covered	Depends on whether liability arises from ‘use of the vehicle’

6. Guidance for Insurers

When dealing with claims that involve the principles above and the insurer that initially receives the claim believes that another policy may respond, it is important to ensure that information is fully and clearly provided to the other insurer at the earliest opportunity. We suggest the following:

- **Initial Contact:**
 - Firstly, contact the customer and ask permission to refer their claim to another insurer.
 - If granted, clearly state the purpose of the contact to the other insurer and the belief that the other policy may respond to the claim.

- **Information to Provide:**
 - Policyholder details: Name, contact information, and policy number.
 - Incident details: Date, time, location, and description of the incident.
 - Type of damage or injury: Property damage, vehicle damage, or personal injury.
 - Supporting evidence: Photos, witness statements, police reports, etc.
 - Rationale: Explanation of why the contacting insurer believes the other policy should respond.

- **Follow-Up:**
 - If no response is received within the specified timeframe, send a polite reminder.
 - Keep a record of all communications for future reference.

- **Resolution:**
 - Collaborate with the other insurer to resolve the claim promptly.
 - Ensure all actions comply with regulatory requirements, including giving due consideration to achieving good customer outcomes.

The above is not a definitive list of steps insurers could take when working with other insurers. The intention is to illustrate principles to be applied by members when dealing with this issue.

7. Recoveries & faulty products

The scenarios set out in this note are designed to provide guidance as to the primary position under consumer home and motor policy wordings. To the extent that loss, damage or liability has been caused as a result of product defect with the vehicle and / or the charger, insurers may want to consider redirecting the claim against, or seeking a recovery or contribution from, the product manufacturer or distributor. However, in the first instance, insurers will be required to support and represent their customers in accordance with policy terms and conditions.

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