

## **The complaint**

Mr G1 and Mr G2 complain that Vitality Health Limited (Vitality) unfairly refused to let Mr G use a practitioner of his choice when he needed treatment. They want Vitality to pay them higher compensation than Vitality has offered.

## **What happened**

This complaint largely concerns Mr G1. For ease of reading I'll refer to Mr G – but any references include Mr G2 as well.

Mr G holds an insurance policy that provides him with access to private medical treatment in certain circumstances.

Mr G had previously had some physiotherapy treatment. When he needed some more treatment, he contacted Vitality to get this authorised with the practitioner of his choice – the same physiotherapist he'd used before. Vitality mistakenly told him he couldn't do that, but offered to source treatment from a different physiotherapist instead. Mr G had the treatment but complained about the way he'd been treated – he says he was caused inconvenience and distress by having to use a different practitioner.

Vitality acknowledged it had made a mistake and offered to allow Mr G to have any further treatment with his physiotherapist of choice – and said it could authorise additional sessions if they were required. It offered to pay Mr G £25 to make up for its mistake.

Mr G says it's too late to now offer him treatment with the original physiotherapist as he's part way through treatment.

Mr G doesn't think £25 is enough to make up for the way he's been treated, and refused this. We were asked to review his complaint.

Our investigator concluded that £25 was a fair offer given the circumstances. He noted that although Vitality did make a mistake, it didn't delay authorising treatment, even if it wasn't with Mr G's preferred practitioner. He noted that Vitality had acknowledged its mistake and offered to put things right as well as offering the compensation. He thought that Vitality had made a fair offer given the level of inconvenience Mr G says he's suffered.

Mr G doesn't agree so I've been asked to decide this complaint.

## **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'm going to uphold this complaint – but only for the purposes of asking Vitality to pay the £25 it's already offered. Apart from that, I think Vitality did enough to correct its mistake.

Mr G says Vitality made a fundamental mistake and should know how to interpret its own policies. I have some sympathy with this view, but I'm also aware that mistakes do happen,

and how this one has been put right is important too.

Vitality acknowledged it gave Mr G the wrong information and that he should have been able to use the physiotherapist of his choice. To put matters right it apologised and offered to transfer him to his preferred physiotherapist. Mr G turned that offer down. I understand why he chose to do that as he was part way through treatment – but it was still what I'd expect Vitality to do in these circumstances.

I'm also satisfied that £25 is fair compensation for the trouble Mr G was put to. His treatment wasn't delayed even if it was with a practitioner he didn't know, and I've seen no suggestion that his treatment has been inferior. There's no guarantee in the policy that the same practitioner can be used every time there's a need for treatment, and I wouldn't expect there to be, as that could always be affected by circumstances outside Vitality's control.

I appreciate Mr G was inconvenienced by Vitality's actions, but taking everything into account I think the offer of £25 is fair.

### **Putting things right**

Mr G told us he hasn't been affected financially. So to complete putting things right Vitality should pay Mr G the £25 it's already offered.

### **My final decision**

My decision is that I uphold this complaint, and I ask Vitality Health Limited to pay Mr G and Mr G £25

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G and Mr G to accept or reject my decision before 27 February 2023.

Susan Peters  
**Ombudsman**