

The complaint

Mr A and Mrs O are unhappy that AWP P&C SA has delayed assessing a claim made under their travel insurance policy ('the policy').

What happened

Mr A and Mrs O travelled abroad with their children. Whilst away, they were involved in a car accident and needed medical attention. A claim was made on the policy which included the costs of medical treatment. Mr A and Mrs O say they posted a completed claim form to AWP along with supporting documents in or around September 2022.

They received an acknowledgement from AWP towards the end of September 2022 but unhappy about having heard nothing more, Mr A and Mrs O contacted our Service in early 2023 raising concerns about the delay.

We let AWP know about Mr A and Mrs O's concerns and it issued a final response letter dated February 2023. It apologised for the delays in getting back to Mr A and Mrs O. It said the claim couldn't be processed because of the lack of documentation. It provided a list of documents it required from Mr A and Mrs O to assess the claim.

Mr A and Mrs O said all documents requested had previously been provided. Our investigator upheld Mr A and Mrs O's complaint. He recommended AWP pay £200 compensation for distress and inconvenience to reflect the delay in assessing the claim and overall poor service. He also recommended AWP urgently assess the claim and provide an outcome to Mr A and Mrs O. If it required any further information from Mr A and Mrs O, he asked that AWP clearly explain what further evidence was required.

AWP didn't respond. So, this complaint has been passed to me to decide.

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.

AWP has an obligation to handle complaints fairly and promptly.

AWP accepts that it sent an acknowledgement to Mr A and Mrs O at the end of September 2022. Our investigator asked it to confirm details of what Mr A and Mrs O had sent it which prompted the acknowledgment, but AWP hasn't been able to tell us.

Mr A and Mrs O say they sent AWP the completed claim form with supporting documents it initially requested. In the absence of AWP confirming what it received, I find Mr A and Mrs O's submissions to be plausible, persuasive and consistent. And on the balance of probabilities, I accept what they say.

Particularly, as when asked by our investigator, AWP hasn't said which documents it still awaits from Mr A and Mrs O and before they'd contacted our service to raise their concerns, AWP hadn't raised any issues with Mr A and Mrs O about the documents they'd sent.

AWP accept there has been delays for which it apologised. It accepts Mr A and Mrs O should've been kept updated. I don't think AWP's apology is enough to put things right here. I'm satisfied AWP should pay Mr A and Mrs O compensation in the sum of £200 to reflect the distress and inconvenience they experienced. Not only have they had to wait too long for an update on the progress of their claim, but they've also had the worry of AWP saying they need to provide supporting documents Mr A and Mrs O have already sent. It hasn't been clear about what other documents it needs or confirmed which documents it's received.

Putting things right

Within 28 days from the date on which our Service notifies AWP that Mr A and Mrs O accept this final decision, I direct AWP to:

- pay Mr A and Mrs O £200 compensation for distress and inconvenience;
- confirm the documents it received from Mr A and Mrs O, and acknowledged at the end of September 2022; and
- Either assess the claim in line with the terms of the policy based on the information already provided by Mr A and Mrs O and inform them of the outcome to the claim. Or, alternatively, expressly set out in writing to Mr A and Mrs O the information it still needs from them to enable AWP to assess the claim (and upon receipt of this further information from Mr A and Mrs O promptly assess the claim).

My final decision

I uphold Mr A and Mrs O's complaint. I direct AWP P&C SA to put things right as directed above.

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

David Curtis-Johnson
Ombudsman