

## **The complaint**

Mr R is unhappy Admiral Insurance (Gibraltar) Limited declined his claim.

## **What happened**

Mr R had a travel insurance policy underwritten by Admiral Insurance Gibraltar Limited (Admiral).

He made a claim for the cancellation of his holiday due to his passport being stolen. Initially Mr R told Admiral he had left his passport in the letterbox of his house door and the front door was faulty.

Admiral declined the claim because they didn't think he had taken all reasonable efforts to prevent his loss. Mr R then said he had made a mistake and provided evidence to show the door was actually repaired two weeks before the theft. But Admiral said they could only take Mr R's first answer and their decision to decline cover remained.

Our investigator looked into what had happened. He upheld the complaint and said he didn't think it was fair Admiral had declined the claim because they'd only relied on Mr R's first account of the circumstances and ignored contrary evidence. He said Admiral should reassess Mr R's claim.

Mr R didn't think it was fair that Admiral reassess the claim. He said we thought the reason they'd relied on to decline his claim was unfair, so they shouldn't be given another opportunity to look for further reasons. Our investigator explained there wasn't enough information to ask Admiral to pay the claim.

Mr R went on to agree with the investigators view that it was fair for his claim to be reassessed. But he requested Admiral gave him its answer in a timely manner and based on the evidence available. Admiral agreed to reassess his claim as a priority.

Mr R didn't hear from Admiral after four weeks, so he came back to us and asked for an ombudsman's decision.

So the case has now 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.

The relevant rules and industry guidelines say Admiral has a responsibility to handle claims promptly and fairly. And they shouldn't reject a claim unreasonably.

I appreciate Admiral's claim decline was based on the initial answers Mr R provided during their telephone interview. At that stage I think it was fair for them to decline his claim.

However, I don't think Admiral acted fairly when Mr R provided further evidence about the repair of his door. In the absence of a faulty door, I think it's unreasonable for Admiral to still conclude Mr R hadn't taken all reasonable efforts to prevent his loss. So I agree with our investigator that Mr R's claim should be reassessed.

I understand Mr R's point that Admiral has already had the opportunity to assess his claim, but I don't think there is enough information to fairly ask Admiral to pay the claim at this stage. So asking them to reassess is reasonable in the circumstances.

I appreciate Mr R is unhappy that he hasn't heard from Admiral yet and he wanted things resolved by now. But the reassessment of his claim may take Admiral some time and I don't think the three month timescale so far (following our investigators recommendations) is unreasonable.

However, I do expect Admiral to move things forward promptly following Mr R's acceptance of my final decision. If it takes longer than our usual 28 day timeframe, then I think Admiral should provide Mr R with a meaningful update that includes a timescale when he'll receive the answer on the reassessment on his claim. Then if Mr R is unhappy with what Admiral does, he can raise a separate complaint with them.

### **Putting things right**

Admiral Insurance (Gibraltar) Limited need to put things right by:

- Reassessing Mr R's claim in line with the policy terms and conditions.
- If this takes longer than 28 days, Admiral must give Mr R a meaningful update setting out the timeframe when he will receive the answer on his claim.

### **My final decision**

I uphold this complaint against Admiral Insurance (Gibraltar) Limited's and direct them to put things right in the way I've outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 21 September 2023.

Georgina Gill  
**Ombudsman**