

The complaint

Mrs L has complained about the service she received from Vitality Health Limited ('Vitality').

What happened

Mrs L has a private medical insurance policy, underwritten by Vitality.

She is unhappy that Vitality didn't pay for medication, didn't arrange a referral to a pain specialist and didn't call back when promised.

Mrs L complained to Vitality and it agreed to pay the medication costs of £15 plus it offered £30 compensation for distress and inconvenience. It later increased its offer to £50 compensation.

Unhappy, Mrs L referred her complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint and found Vitality's offer of £50 compensation plus agreement to pay for the medication was reasonable.

Mrs L disagreed and said the compensation wasn't enough.

And so the case has been passed to me for a final decision.

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.

Having done so, I think Vitality's offer of £50 compensation is fair. I'll explain why.

The relevant rules and industry guidelines say an insurer should handle claims promptly and fairly. And shouldn't unreasonably reject a claim.

- Mrs L had an operation after which she felt significant pain. She contacted Vitality and asked for further assistance to see a pain specialist. She also asked Vitality to pay £15 for medication she had been prescribed after her operation.
- Vitality authorised further treatment, although it had initially made a mistake about the consultant, but the referral was confirmed before Mrs L's appointment.
- Mrs L called Vitality numerous times and she didn't always receive a call back when promised.
- Vitality agreed it hadn't offered Mrs L the best service, it agreed to pay the medication charges on production of evidence of payment and also offered Mrs L £30 compensation for failed call backs and distress and inconvenience which it later increased to £50.

- I think Vitality's offer to resolve the complaint is reasonable as ultimately it agreed to pay her medication and authorised the treatment she had requested. In addition, it offered £50 compensation for distress and inconvenience for not always returning her calls but I have seen that Mrs L was able to speak to someone when she called so I don't think this had a long lasting or significant impact.
- Mrs L was in pain and distressed when she called Vitality and I appreciate she wanted assistance. But Vitality can't be held responsible for the effects of any treatment or operation Mrs L had which caused her pain. So I can't fairly ask Vitality to compensate her for the way she felt as a result of her operation or treatment.
- Our investigator sent a copy of the invoice for the medication to Vitality. So it now has what it needs.

My final decision

For the reasons set out above, I think the £50 compensation already offered by Vitality is fair as well as the offer to pay £15 for her medication, on receipt of the invoice.

Vitality Health Limited should now pay Mrs L £50 compensation and £15 for the medication, if it hasn't already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 15 September 2023.

Shamaila Hussain
Ombudsman