

The complaint

Mr M has complained about the way AXA PPP Healthcare Limited ('AXA') dealt with his claim.

What happened

Mr M has a private medical insurance policy, underwritten by AXA.

He called AXA following an online GP consultation where a referral to a physiotherapist was made. When Mr M called AXA it couldn't find him or details of the GP referral on the system. Mr M had to chase, hold and wait days for a reply. Mr M had to ask his HR department to intervene, and he complained.

Mr M says he was left in pain and without treatment for a week.

AXA accepts it made a mistake and apologised for the delay in locating his details and the referral. It also offered to pay his £100 excess as compensation. Unhappy, Mr M referred his complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint and found that the offer of paying the £100 excess was reasonable.

Mr M disagreed 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 AXA's offer to pay the £100 excess 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.
- AXA accepts that it delayed in authorising treatment due to an error which meant his claim was processed 5-6 days later than it should have been. Initially AXA apologised for the error and later, it offered to refund his excess of £100 (or pay the specialist directly if the excess hadn't been paid).
- My decision will focus on whether I think AXA's offer to pay the £100 excess is fair and reasonable in all the circumstances. I should also say I have read and carefully considered everything Mr M has said but I will only address what I consider to be key to my decision.
- Mr M doesn't think £100 is enough as he was in pain for a week and had to chase numerous times. He says the proposed outcome isn't sufficiently hard on AXA and it will keep on failing customers. He says his case should set an example. He also says

the consequences of the delay are yet to be assessed from a medical perspective. As he couldn't start his treatment immediately, he was left suffering unnecessarily and had to rely on strong painkillers.

- Firstly, it isn't my role to punish AXA. Instead, it is my role to consider the specific circumstances of Mr M's case and decide what a fair and reasonable outcome would be. Similarly, our decisions do not set a precedent as each case is assessed on its own facts.
- Turning to the error made by AXA, I have considered what should have happened. AXA should have dealt with Mr M's referral to see a physiotherapist as soon as he called but instead, he had to call, chase and wait a week for matters to be resolved. I'm pleased to see AXA accepted and apologised for its error and for the chasing Mr M had to do. It also offered to pay the £100 excess as compensation for the distress and inconvenience caused to Mr M. As the issue with the referral was resolved after a week, it wasn't long lasting and so I think £100 is appropriate, taking into consideration the length of time.
- Turning now to Mr M's pain, this isn't something AXA is responsible for. The delay in accessing physiotherapy is what AXA is responsible for. Mr M says he attended A&E for strong painkillers but he wanted to avoid this and see a physiotherapist immediately. As Mr M always had the option of seeing a doctor for strong painkillers, this isn't something I think AXA are responsible for. Mr M chose not to obtain strong painkillers immediately. The physiotherapist wouldn't have been able to provide the painkillers in any event. So overall, although I am sorry to hear of Mr M's situation, I don't hold AXA responsible for his pain.
- Mr M says the consequences of the delay from a medical perspective are yet to be assessed. But as the referral was for physiotherapy, for which there is often a wait, I can't see what the other consequences of the delay would be. Mr M has already confirmed he obtained strong painkillers and AXA resolved the referral after a week. I don't think there is any further consequence to consider and I haven't seen any medical evidence to suggest otherwise.

My final decision

For the reasons set out above, I think AXA's offer to pay the £100 is fair. So I direct AXA PPP Healthcare Limited to provide a refund of £100 to Mr M if he has already paid the excess, or pay the specialist directly.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 17 November 2023.

Shamaila Hussain
Ombudsman