

## **The complaint**

Mr and Mrs M's complaint is about a claim they made on their U K Insurance Limited ('UKI') travel insurance policy for travel and medical expenses.

Mr and Mrs M say UKI treated them unfairly.

## **What happened**

Whilst in France, Mr M was admitted to hospital for emergency surgery. He was discharged 11 days later.

Mr and Mrs M complain about the handling of their claim for medical expenses and repatriation by UKI.

Mrs S says she got in touch with UKI on the day Mr M was admitted for surgery as it was clear they would need to be repatriated in due course. She says she was assured that they would be repatriated and there would be end to end support to help get him home safely. Despite this, Mrs M says her experience of UKI's handling of the claim was both difficult and stressful.

She's referenced a number of difficulties she encountered in getting the claim dealt with within in a timely manner, which necessitated her continuing to chase UKI to consider the claim and a failure by them to agree to repatriate them within a reasonable period.

Mrs M says the delays meant that Mr M had been discharged from hospital but no arrangements were made for them to go home. This led to Mr and Mrs M making their own arrangements and taking their own risks in flying home without UKI's help. She's cited a number of problems with this, including the fact that they had no wound or colostomy support nor access to anticoagulant medication after Mr M was discharged from hospital. She also says Mr M's staples were in for longer than was medically advised due to the delay and that they encountered difficulty getting anticoagulants on return to the UK as these were only prescribed to patients who had been discharged in the UK.

Overall Mr and Mrs M say they suffered distress, inconvenience, pain and suffering as a result of UKI's actions and want to be compensated for this. UKI considered their complaint and accepted they could have done some things better. They offered them £150 in compensation. Unhappy, Mr and Mrs M referred their complaint to the Financial Ombudsman Service.

Our investigator considered Mr and Mrs M's complaint and concluded that it should be upheld. He said that £150 wasn't enough to compensate Mr and Mrs M for the service they received and the delays in dealing with their claim. He said that £400 was more appropriate in the circumstances. Mr and Mrs M asked for some further clarification on this award from the investigator, which he provided. They then said they accepted his opinion. UKI don't however, agree with the investigator's findings. As such the matter has been passed to me to determine.

## **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 uphold Mr and Mrs M's complaint for broadly the same reasons reached by the investigator. This is why.

The issue I need to decide is whether the sum UKI offered is enough to compensate Mr and Mrs M for their actions. UKI have accepted that whilst they needed to clarify certain information to verify the claim and in particular Mr M's needs once he was confirmed fit to fly, this could've cause distress to Mr and Mrs M at an already stressful time. They also recognised there were delays in responding to Mr and Mrs M. As a consequence, they initially offered them £100, which they then increased to £150.

I've thought about this and what UKI did wrong specifically in this case. As I understand it, Mr M was admitted for emergency surgery and was discharged 11 days later. During this time Mrs M was in regular contact with UKI to arrange for repatriation given Mr M's condition. But UKI weren't able to arrange for this until they had medical evidence to confirm that Mr M was fit to fly and what arrangements were necessary to arrange for him to return home safely.

From what I can see, UKI made several attempts to obtain information from the hospital in France, but due to backlogs, this wasn't forthcoming. Because of this I can understand why UKI didn't agree to facilitate Mr M's return before they could satisfy themselves that the arrangements Mr M needed were in place, based on medical evidence. UKI were entitled to wait for the discharge report to confirm Mr M was fit to fly and what arrangements were needed to repatriate him and Mrs M home. I can see that UKI did offer to fund Mr and Mrs M's costs in remaining in France a short time longer before they could make the necessary arrangements, but the decision to refuse this and return back to the UK was Mr and Mrs M's.

That said, I agree with Mr and Mrs M that their claim wasn't handled promptly as it should have been. As I've said, Mrs M was in constant contact with UKI to discuss Mr M's condition. So UKI could have done more in that time to get in touch with the treating hospital more promptly as well as assess the information they'd been provided with without delay. And I agree with the investigator that UKI did appear to take a more reactive approach to seeking information from the treating hospital after Mrs M prompted them to. I don't think this should have been the case.

UKI has said that the approach they took wasn't reactive and that they'd made several attempts to contact the treating hospital unsuccessfully and offered Mrs M different options, but these were rejected. I've looked at the timeline they've provided but I don't agree that they did everything they could have. Indeed, UKI accept they could have stepped outside the process and tried other means of contact with the hospital. And although they say they don't think this might have made a difference, they can't know this for certain.

Ultimately Mr M was left in a situation where he was discharged from hospital, but wasn't able to return home because UKI hadn't made arrangements for his return. Like I've said, I understand the reasons for this, but I think more could have been done sooner to progress matters, to prevent Mr M being left in this position as far as possible. In the circumstances, I can understand why Mr M felt it was better to return home without delay, especially because he didn't have access to ongoing treatment for his condition if he stayed in a hotel whilst he waited for UKI to get the evidence they needed and arrange to return him home.

**Putting things right**

UKI should pay Mr and Mrs M £400 to compensate them for the distress, inconvenience and pain and suffering caused by their actions.

**My final decision**

For the reasons set out above, I uphold Mr and Mrs M's complaint against U K Insurance Limited and direct them to put things right in the way I've set out above.

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

Lale Hussein-Venn  
**Ombudsman**