

## **The complaint**

Ms A has complained that AWP P&C SA ('AWP') unfairly declined her claim after it provided her with incorrect advice and guidance during a phone call.

All reference to AWP includes any agents acting on its behalf.

## **What happened**

Ms A had a travel insurance policy, underwritten by AWP.

Whilst abroad, Ms A needed emergency medical treatment so she called AWP and says she was told she would be covered. She went ahead and paid for her treatment.

But AWP declined her claim on the basis that the treatment took place in a country which wasn't covered under her policy.

Ms A says she wouldn't have gone ahead with the treatment had she been given correct information. She complained to AWP and referred her complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint and recommended that AWP pay Ms A £100 compensation for providing incorrect advice and falsely raising Ms A's expectations.

AWP didn't respond 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 this complaint should be upheld. I'll explain why.

- The relevant rules and industry guidelines say an insurer should provide appropriate support to customers and help them understand their policies.
- Ms A's policy only covers certain geographic areas, it doesn't cover the country Ms A received her treatment in. So there is no cover for Ms A under the terms and conditions of the policy.
- As Ms A needed emergency medical treatment, I don't think it's plausible that Ms A would not have gone ahead with treatment that she needed. So I agree that she always would have incurred the costs that she did.
- When Ms A called AWP for advice and guidance, it incorrectly told her the claim would be covered. AWP hasn't suggested that it didn't provide incorrect advice and hasn't provided any evidence to suggest otherwise. Ms A has provided a phone log to show she did call AWP. In the absence of any further evidence from AWP, I accept

Ms A's testimony that she called AWP and was given incorrect advice.

- AWP should have provided the correct advice when she called. But Ms A hasn't lost out as a result of AWP's incorrect advice as she would always have had to pay for her treatment. Ms A has suffered a loss of expectation which I think AWP should compensate her for. I think £100 compensation is appropriate as the issue isn't long lasting and there is no cover under the terms of the policy.

### **My final decision**

For the reasons set out above, I uphold this complaint and direct AWP P&C SA to pay Ms A £100 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms A to accept or reject my decision before 25 April 2024.

Shamaila Hussain  
**Ombudsman**