

## **The complaint**

Mrs M has complained that Zurich Insurance Company Ltd ('Zurich') has unfairly declined her claim.

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

## **What happened**

Mrs M had a travel insurance policy, underwritten by Zurich.

She made a claim as her phone and cash had been stolen. But Zurich declined the claim as it said Mrs M didn't report the loss to the police within 24 hours, as required under the policy terms.

Unhappy, Mrs M complained to Zurich and said she hadn't been able to get through to Zurich when she tried to call. She referred her complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint but didn't think Zurich had done anything wrong.

Mrs M disagreed and asked for an Ombudsman's decision.

So the case has 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.

Having done so, I don't think this complaint should be upheld. 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.
- The policy terms confirm that a police report will be needed within 24 hours in the event of a loss, burglary or theft. If this isn't done, there is no cover under this section.
- Mrs M didn't call the police or obtain a report. So she hasn't done what is required under the policy terms.
- The onus is on a claimant to prove their claim and I think the policy is clear enough that Mrs M needs to take certain steps when making a claim for loss. Mrs M says she isn't sure when the loss took place. But there is no evidence she attempted to report the loss to the police when she became aware that her phone and cash were missing.

- Mrs M also says she couldn't get through to Zurich on the phone but there is no evidence that there was a problem with their phones. And the number Mrs M tried isn't the one detailed on the policy documents.
- As Zurich has acted in line with the policy terms and conditions, I can't say it has done anything wrong.

### **My final decision**

For the reasons set out above, I don't uphold this complaint.

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

Shamaila Hussain  
**Ombudsman**