

## **The complaint**

Mrs C and Mr H have complained that Astrenska Insurance Limited declined a claim they made on a travel insurance policy.

As it is Mrs C leading on making the complaint, I'll mostly just refer to her in this decision.

## **What happened**

In January 2023 Mrs C, Mr H and their children were due to fly abroad on holiday. However, at the airport they realised that one of the passports was missing. They say they had it with them when they left home and so believe that it was either lost or stolen at the airport. As a result they had to cancel the holiday and return home. Upon making a claim, it was declined on the basis that the loss would only be covered whilst abroad and not in the UK.

In response to the complaint, Astrenska accepted that the reason given had been incorrect and therefore the claim had been unfairly declined. It apologised and asked for further information so that the claim could now be assessed.

Our investigator thought that Astrenska's initial declination of the claim was unfair, so he recommended that it should pay £100 compensation, to which Astrenska agreed. In relation to the ongoing consideration of the claim, he thought it was fair for Astrenska to await the information it had requested from Mrs C.

## **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.

I've carefully considered the obligations placed on Astrenska by the Financial Conduct Authority (FCA). Its 'Insurance: Conduct of Business Sourcebook' (ICOBS) includes the requirement for Astrenska to handle claims promptly and fairly, and to not unreasonably decline a claim.

To be clear, Astrenska's current position is that it hasn't totally declined the claim. Instead, it has confirmed that it will consider it further, subject to receiving the necessary supporting information.

Looking at the policy terms, in relation to making a claim, it states:

*'All claims must be submitted within 60 days of your return from your trip. You must assist us in providing all requested information, including completing any requested forms, or you may experience a delay in the processing of your claim.'*

Under the section: 'Claims Evidence', it states:

*'Before a claim can be paid, you may be asked to provide supporting documentation to validate cover and the circumstances of the loss. The table below sets out what*

*documentation you may be asked to provide. Depending on the details of each claim we may ask for additional or different supporting documentation to that listed below.'*

Mrs C says she tried to make a report to the police that the passport had been stolen and that they directed her to an online service. She confirmed to our investigator that she hadn't then reported the matter to the police, although she did complete an online 'report my loss' form on a third party website. She also said that she reported the passport stolen to the passport office and that the travel company had a note of the passport as stolen. Astrenska says it asked Mrs C for the following information:

- Confirmation from (the travel company) of the assistance they gave at the time.
- Evidence from the passport office of the loss and the expiry date on the lost passport.
- Elaborate on where the passport was prior to the loss/theft, how do you feel this was stolen, was the bag always with you and when did you notice the loss.
- As the booking is greater than £1,000.00, we need to ask for a copy of the bank statement(s) used to pay for the holiday.
- Confirmation that a replacement passport had been applied for.

Astrenska has told us that Mrs C's response to this was simply to say: *"Yes the passport was issued within a couple of weeks of reporting it stolen."*

Our investigator asked Mrs C if she recognised this as an accurate version of events or whether she had any emails showing that she had responded to any of the requests for information. However, Mrs C didn't respond to our investigator.

Based on what I've seen, I don't think Astrenska is yet in a position to make a decision on the claim. It's therefore reasonable that it should require evidence in support of the claim and it is entitled to request further details under the policy terms. So, I do not uphold this part of the complaint.

If possible, Mrs C should take steps now to provide any information that she can. Once Astrenska does make a decision about the claim, if Mrs C is unhappy with the outcome, she can make a new complaint about that particular issue.

In relation to the claim initially being rejected, I agree with our investigator that this was done unfairly. Taking everything into account, I also agree that £100 is reasonable compensation for this part of the complaint.

### **My final decision**

For the reasons set out above, I partly uphold the complaint. Astrenska Insurance Limited should pay £100 compensation for the distress and inconvenience suffered by initially incorrectly declining the claim.

However, it's reasonable that Astrenska Insurance Limited can't progress the claim until it receives adequate further information.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C and Mr H to accept or reject my decision before 20 May 2024.

Carole Clark  
**Ombudsman**