

## **The complaint**

Mr and Mrs L complain that AWP P&C S.A. declined their claim against their travel insurance policy. Reference to AWP includes its agents.

## **What happened**

In summary, Mr and Mrs L had single trip travel insurance underwritten by AWP for a trip with departure and return dates of 18 September 2023 and 22 September 2023 respectively. Unfortunately, shortly before departure, both Mr and Mrs L had a stomach bug. They cancelled their trip and made a claim against the policy.

AWP asked Mr and Mrs L to provide a medical certificate from their GP showing they were unfit to travel. Mr and Mrs L asked their GP to complete the medical certificate. Mr and Mrs L's GP declined to complete the medical certificate, as Mr and Mrs L hadn't consulted their GP about their illness.

AWP declined the claim. It noted Mr and Mrs L hadn't consulted a doctor before cancelling their trip. AWP said Mr and Mrs L hadn't provided medical evidence to support their claim.

Mr and Mrs L didn't think that was fair and pursued their complaint. They say they didn't consult their GP because they didn't think it was necessary and couldn't get to their GP because of their symptoms.

One of our investigators looked at what had happened. She didn't think AWP had acted unfairly or unreasonably in declining Mr and Mrs L's claim. The investigator said she understood why Mr and Mrs L didn't contact their GP at the relevant time but the policy said they must provide evidence to support their claim. She said there was no evidence the cancellation of Mr and Mrs L's trip was medically necessary.

Mr and Mrs L didn't agree with the investigator. They said they wouldn't visit the GP when they had a stomach bug. Mr and Mrs L asked that an ombudsman consider their complaint, so it was 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.

I've taken into account the law, regulation and good practice. Above all, I've considered what's fair and reasonable. The relevant rules and industry guidance say AWP should deal with claims promptly and fairly and must act to deliver good outcomes for retail customers.

The starting point is the terms and conditions of the policy. Mr and Mrs L's policy covers certain costs where cancellation of their journey is unavoidable due to an event beyond

their control. One of the conditions in the policy requires Mr and Mrs L to give AWP all the information it asks for. That's a common term in this sort of policy.

The Insurance Product Information Document (IPID), which is a summary of the policy cover says:

***'What is not insured***

*Claims where you cannot provide sufficient supporting evidence'*

Under the terms of the policy, AWP was entitled to ask Mr and Mrs L to provide medical evidence in the circumstances that arose here – cancellation of their trip due to illness. I've noted what Mr and Mrs L say about why they didn't consult their GP but I'm afraid it remains the case that they didn't provide AWP with the information it reasonably required. So, I think AWP was entitled to decline the claim under the terms of the policy.

I've thought about whether it would be fair and reasonable to direct AWP to deal with Mr and Mrs L's claim in any event, even though they didn't provide medical evidence to support their claim. I don't think it would. That's because I think it's fair for AWP to ask for medical evidence where a claim for cancellation arises out of illness. The alternative would mean that AWP would have to proceed based only on Mr and Mrs L's report of what happened. I don't know of any insurance policy of this type that provides cover on those terms.

I'm sorry to disappoint Mr and Mrs L but for the reasons I've explained, I don't think AWP acted unfairly in declining their claim.

**My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L and Mrs L to accept or reject my decision before 9 September 2024.

Louise Povey  
**Ombudsman**