

The complaint

Mr S has complained that he found it challenging to communicate with BUPA Insurance Limited ('BUPA') and didn't receive clear information in response to a simple query which BUPA took too long to answer.

What happened

Mr S has a group private medical insurance policy, through his employer. In April 2024, Mr S contacted BUPA via its online chat to ask about a claim for prescriptions. Mr S was unhappy with the time he had to wait and also that his query wasn't answered clearly. So he complained.

BUPA looked into the complaint and agreed that its service fell below a reasonable standard and paid Mr S £50 compensation. Mr S referred his complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint but didn't think £50 compensation was sufficient for the impact on Mr S. He recommended an additional £50 compensation and said a total of £100 was more appropriate as Mr S had to wait a long time for a response and was then presented with confusing information which caused additional stress.

Mr S agreed to the investigator's recommendation but BUPA felt £50 compensation was sufficient and asked for an Ombudsman's review.

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 uphold this complaint. I'll explain why.

The relevant rules and industry guidelines say insurers should handle claims promptly and fairly and should adequately support customers when making general enquiries and when making a claim or complaint, amongst other things. An insurer should also provide support to help customers understand the information it has provided in a way which is clear.

Both sides accept that BUPA's customer service was poor when Mr S contacted it to ask a simple question. The only outstanding matter for me to decide is whether £50 compensation is sufficient or whether another amount is more appropriate. So I will focus on this.

BUPA has asked me to consider the following points, which I have summarised:

- It has referred to our compensation guidelines and has said that the proposed £100 is excessive based on the nature of the issue that occurred.
- There were no repeated errors and no significant effort required from Mr S to resolve

the issue.

- The delay did not last days or weeks or even hours, it was quickly resolved.
- It accepts the interaction was frustrating and should have been handled better. But it thinks its apology and £50 compensation is reasonable.
- Waiting a short while to receive responses in an online chat is something people would reasonably expect from day to day life and there is only a minor impact – a short delay and temporary confusion.

I have carefully considered everything BUPA has said. But I think a total of £100 compensation is more appropriate in this case. I'll explain why.

- Our compensation guidelines should be used as a guide rather than an exact science. Each case is decided on its own facts and each customer will be affected differently. So I must decide the individual impact on Mr S and the level of inconvenience and frustration caused to him.
- In this case, Mr S was caused more than the levels of frustration and annoyance that might reasonably be expected from day to day life. BUPA has suggested that the problem was a one off incident or occurrence but our investigator concluded there were repeated small errors.
- I agree that there were repeated small errors during the interaction and whilst the impact didn't last days or months, I think it was exacerbated by the number of errors.
- Mr S started the online chat at 9:30. He chased a few times, said he wanted to complain, and received a reply at 9:50, 20 minutes later. Mr S said he had received the same advice from another colleague but he wanted clarification on whether the benefit amount was £20 per person. He received a response to say a complaint would be logged. He asked for an answer to his claim query. He was told the limit was £20. He again asked whether it was £20 per person. BUPA confirmed it was. BUPA then asked "*based on your allegation, what would your desired outcome be*". Mr S said it wasn't an allegation. And the case handler also asked about marketing emails during the exchange about making a complaint, despite Mr S saying he wanted this to stop. I don't think this was appropriate or helpful at this point.
- Overall, there were a number of errors made during this interaction which clearly caused Mr S increasing levels of annoyance and frustration. When Mr S asked whether the benefit amount was £20 per person, BUPA had two opportunities to provide a clear response but didn't. BUPA then used unhelpful language referring to his '*allegation*' rather than simply saying, for example, 'complaint', 'dissatisfaction' or 'query'. And then it asked about marketing a second time during the chat despite Mr S saying he wanted this to stop. I don't think Mr S appreciated being asked about marketing emails when enquiring about making a complaint.
- Mr S received a response to his complaint on 2 May 2024, a number of days after his online chat. So I think the impact of the poor service stayed with him until that point when BUPA accepted that he had to wait too long for a response to his query. It also clarified the benefit amount and allowances in its response letter.
- I don't think the £50 compensation recognises the poor customer journey throughout the online chat and the catalogue of errors. So I agree with the investigator that a total amount of £100 compensation is appropriate in all the circumstances of this case. As BUPA has already paid £50, it should now pay Mr S an additional £50.

My final decision

For the reasons set out above, I uphold this complaint and direct BUPA Insurance Limited to pay Mr S an additional £50 compensation (in addition to the £50 already paid) for the distress and inconvenience caused to him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 31 December 2024.

Shamaila Hussain
Ombudsman