

## **The complaint**

Mrs T is unhappy with the assistance she received from Inter Partner Assistance SA ('IPA') under her travel insurance policy ('the policy') after she had a stroke whilst on holiday, abroad.

All reference to IPA includes its medical assistance team.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again here. I'll focus on giving the reasons for my 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.

IPA has a regulatory obligation to handle insurance claims fairly and promptly.

I don't think IPA acted fairly and reasonably when initially advising Mrs T that she was fit to fly on 10 May 2024 and so should travel back to the UK on her scheduled return flight. I'll explain why.

- Although Mrs T was discharged from hospital, her neurosurgeon provided a fit to fly certificate on 8 May 2024 advising that, due to her condition, Mrs T wasn't fit to fly on a commercial airline before 26 May 2024.
- I can see from IPA's internal contact notes that its medical team disagreed and advised that Mrs T was fit to fly back to the UK on 10 May 2025 (the date of her scheduled flight home). However, I haven't seen any detailed notes of the medical team's discussions at the time.
- The date of Mrs T's scheduled return flight was five days after her stroke. IPA has more recently provided us with air passenger safety guidelines which reflects that a passenger can fly between five to 14 days after a stroke if "stable or improving, with a nurse escort". However, a nurse escort isn't needed if there has been an uncomplicated recovery. It also says a passenger travelling in the first two weeks post stroke should receive supplementary oxygen.
- Having read the contact notes, I'm satisfied that Mrs T was (understandably) very scared and upset about the prospect of having to fly against the advice she'd been given by her neurosurgeon.
- IPA eventually agreed to extend accommodation by one night so further guidance could be taken from its medical team. The contact notes reflect that the medical team maintained that Mrs T was fit to fly and there was no need to wait until 26 May 2024.
- The contact notes reflect that Mrs T was then told that she could remain abroad until 26 May 2024 but IPA wouldn't cover her extended accommodation costs. It's

reflected that Mrs T couldn't afford to do that, so she felt that she was being forced to take a flight which was medically unsafe and against the advice of her treating neurosurgeon. She said she still had a clot on her brain and if she travelled at altitude the flight home would be dangerous for her.

- I can also see that Mrs T asked if IPA could at least speak with her neurosurgeon which ultimately it decided to do. During the discussion between IPA's medical team and the treating neurosurgeon on 13 May 2024, it's reflected that the air passenger safety guidance was discussed but the neurosurgeon's opinion was that Mrs T shouldn't fly until three weeks after her stroke (so from 26 May 2024). It is, however, reflected that the neurosurgeon "invited [IPA's medical team] to issue an earlier fit to fly certificate as we deem appropriate".
- Ultimately, I can see that after this discussion IPA did offer to extend cover for Mrs T's accommodation cost to at least 26 May 2024 if that's what she wanted, which was in line with the original fit to fly certificate issued by the neurosurgeon dated 8 May 2024.
- In the circumstances of this particular case, I'm satisfied that IPA didn't act fairly and reasonably by initially insisting Mrs T travel back on her scheduled return flights. Although that may have been within a timeframe accepted by the air passenger safety guidelines, I've seen nothing which indicates from the time that Mrs T's individual circumstances were taken into account. Nor did IPA attempt to speak to the treating neurosurgeon before taking this decision, to understand why a recovery period of at least three weeks before flying had been advised. Given the difference of medical opinion as to when Mrs T was fit to fly, I would've reasonably expected IPA to have contacted the treating neurosurgeon in the circumstances of this case.
- Had IPA done so at the outset, like it did on 13 May 2024, I'm satisfied on the balance of probabilities that it would've ended up taking the same decision as it did; to agree to cover Mrs T's accommodation costs to at least 26 May 2024 and the costs of her flight home (and that of her husband).
- I'm satisfied this would've avoided the significant anxiety, upset, worry and confusion Mrs T experienced by being told that she and her husband would need to return to the UK on their scheduled flights (along with their two grown-up children). This lasted a few days – until IPA changed its position.
- I'm also satisfied that her worry and upset would've been exacerbated by seeing her husband and grown-up children being upset by IPA's initial decision that she was fit to fly from 10 May 2024 and she should fly back to the UK before the date advised by her neurosurgeon. I'm also satisfied that she was put to unnecessary and significant inconvenience at a time when she was situationally vulnerable and recovering from a stroke. She spent unnecessary time challenging IPA and asking third parties to assist her.
- I'm satisfied £750 compensation fairly reflects the impact of IPA's errors had on Mrs T. When making this finding, I've taken into account all of Mrs T's points including what she says about feeling scared to ever go abroad again and the impact it's had on her grown-up children. I'm very sorry to hear that. However, I think that having a stroke abroad would, in itself, be frightening. And IPA's actions made things worse. I've taken that into account when considering the impact on Mrs T.

### **Putting things right**

I direct IPA to pay Mrs T £750 compensation for distress and inconvenience.

**My final decision**

I uphold this complaint and direct Inter Partner Assistance SA to put things right as set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 8 October 2025.

David Curtis-Johnson  
**Ombudsman**