

The complaint

Mr and Mrs S are unhappy that Inter Partner Assistance SA declined a claim they made on their travel insurance policy.

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. Instead, 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.

Having considered all the arguments and evidence submitted by both parties and the relevant law, which in this case is the Consumer Insurance (Disclosure and Representations) Act 2012 (CIDRA) I'm upholding this complaint because:

- I'm not persuaded IPA has demonstrated that there was a misrepresentation. They've not provided evidence of the questions Mr and Mrs S were asked when they took out the policy or clearly explained what information they failed to declare during the sales process.
- In any event, even if I was satisfied that there was a misrepresentation, IPA hasn't demonstrated that the misrepresentation was a qualifying one. They've not demonstrated that they'd have acted differently had Mr and Mrs S declared more information about their medical history. I've also not been provided with clear information which shows what impact a misrepresentation would have had on the premium.
- As IPA hasn't demonstrated that a qualifying misrepresentation took place, I don't think it's fair and reasonable for them to decline the claim.
- IPA has offered £50 compensation to Mr and Mrs S for customer service issues. I acknowledge that the claim did take some time to sort out. But there was information required by IPA to assess the claim and inevitably that does cause some inconvenience. Overall, I think £50 compensation fairly reflects the overall impact of the poor customer service they received.

Putting things right

IPA needs to put things right by:

- Settling the claim in line with the remaining policy terms
- Paying 8% simple interest on the settlement amount from one month after the claim was submitted until the date of settlement. If IPA considers that it's required by HM

Revenue & Customs to deduct income tax from that interest, it should tell Mr and Mrs S how much it's taken off. It should also give them a tax deduction certificate if they ask for one, so they can reclaim the tax from HM Revenue & Customs if appropriate.

My final decision

I'm upholding this complaint and direct Inter Partner Assistance SA to put things right in the way I've outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs S to accept or reject my decision before 14 August 2025.

Anna Wilshaw
Ombudsman