

The complaint

Mr N complains that AXIS Speciality Europe SE ('*AXIS*') acted discriminatorily on the basis of his nationality when resolving his travel insurance claim and subsequent complaint.

To resolve his complaint, he wants AXIS to pay him compensation for the impact of the upset he has been caused.

What happened

Mr N held travel insurance cover through his employer's flexible benefits scheme, which was operated by AXIS. Mr N has since cancelled his membership of the scheme.

In November 2024, Mr N travelled overseas. On 9 December 2024, Mr N contacted AXIS's claims administration service, which is operated by the CEGA Group ('*CEGA*') to make two claims under the policy, one for loss of cash and personal baggage and another for medical expenses.

On 17 January 2025, CEGA liaised with Mr N via email asking for completion of two claim forms along with confirmation of Mr N's date of birth and nationality. By return email, Mr N questioned the cause for him having to confirm his nationality.

On 21 January 2025, Mr N called CEGA to ask about the progress of his claims. He was assured that the outcomes to both claims would be issued within a few days. He also raised his concerns about the reason for being asked his nationality, which the call handler explained was standard process for every customer.

On 28 January 2025, Mr N chased CEGA again and was informed of a claim backlog. He asked to speak to his claim handler who was on another call. So, Mr N was told that the claim handler would call him back, but this didn't happen.

Mr N called CEGA again on 7 February 2025. He complained about the time taken to settle his claims, as well as his unhappiness that CEGA's claim handler didn't call as promised.

On 10 February 2025, CEGA told Mr N via email that its claims validation team was still working on the claims, but it would update Mr N within three working days. Mr N chased the status of the claims again on 14 February 2025 and the claims were thereafter settled on 15 February 2025.

On 7 March 2025, AXIS rejected the complaint. It disagreed that CEGA's service (for which it took responsibility) had been of a poor standard. Though Mr N's expectations regarding timescales weren't met precisely, CEGA's claim handlers had apologised to him for matters taking a few extra days than suggested – and this was an appropriate resolution to that delay. It also explained why it had to ask every person making a claim for confirmation of their nationality, and it hadn't treated Mr N differently to any other customer.

Mr N thereafter pursued a second complaint in which he expressed his unhappiness at how the first complaint was handled.

Across two emails on 7 March 2025, he said:

- AXIS had failed to address his missing complaint point about a promised call back.
- When he had spoken to the claim handler on 21 January 2025, the matter of his nationality was addressed satisfactorily – however, the complaint handler had now raised it and presumed that his nationality was from a particular country (though this is not the case, and Mr N has British nationality). He felt bias had been unfairly applied and this amounted to discrimination.
- This issue had now caused more concern than the original problem he'd raised about timeliness of the claim.
- He wanted to know exactly what questions were asked to members that make claims about their nationalities.

On 2 May 2025, AXIS rejected the second complaint. It said that AXIS's complaint handler had performed a holistic review of the file and noted Mr N had previously raised concerns about having to confirm his nationality in earlier email and telephone correspondence. It felt the complaint handler had gone above and beyond what was required to ensure that a previously unresolved issue had been properly addressed for Mr N.

In respect of the missing complaint point, it apologised that the complaint handler had overlooked it, but it didn't think it otherwise changed the outcome of the complaint.

As he remained unhappy with the outcome, Mr N referred his second complaint to the Financial Ombudsman Service. He told one of our investigators that he was no longer concerned with the claim settlement, but he was instead worried that AXIS had presumed his nationality merely because of his surname or travel history, which he considered discriminatory, disrespectful and unfair.

Another of our investigators liaised with both parties who agreed that the complaint could be referred directly to an ombudsman due to specific circumstances. Accordingly, I issued my provisional findings on the complaint to the parties on 25 February 2026.

In that provisional decision, I gave the following findings, set out below in italics.

Having reviewed the evidence carefully, my provisional assessment is that AXIS ought to do more to resolve this complaint. I'll explain my reasons for reaching this view below. My findings are:

- *After being asked for a number of pieces of relevant evidence and verification requirements on 17 January 2025, Mr N emailed CEGA in which he set out "Please tell me where in the policy it is highlighted that we need to disclose our nationality when a claim is submitted for review. You know I work for [business], the policy was taken via my employer, and this means I'm eligible to be in this country--so please explain why you are asking about my nationality, as I find that very discriminatory and highly offensive".*
- *AXIS has provided us with a copy of its guidelines relating to nationality requirements – which applies in the instances of claims made by members of any policy such as Mr N. I cannot repeat the guidance here given it is commercially sensitive. However, haven't seen any suggestion that CEGA's claim handlers acted outside of the requirements within that guidance or that it unfairly applied this guidance to Mr N.*

- *Furthermore, having listened to the call of 21 January 2025, the call handler explains the necessity of satisfying a claimant's nationality and he told Mr N that he was "not being singled out in any way, shape or form" as it was something it asked every single customer. Mr N accepted that explanation as a true account of AXIS's requirements in order to process his claims and the call handler confirmed an explanation would be in the next email sent to Mr N.*
- *For clarity, I haven't seen any objective evidence that CEGA or AXIS has discriminated against Mr N in the provision of its service in relation to his nationality. The process it applies is a requirement irrespective of whether a claimant resides in the UK.*
- *However, two mistakes occurred which I believe had a clear impact on Mr N, at what was a difficult time for him – something AXIS has confirmed CEGA was aware of, as Mr N had travelled overseas for family reasons.*
- *Firstly, following the call of 21 February 2025 the call handler made a note on file which confirmed that whilst the need for the check was ascertained, Mr N's nationality was from a particular country. In doing this, he recorded that Mr N's nationality was that of his country of birth, rather than British. And, he also didn't explicitly clarify that Mr N considered that concern adequately resolved. So, when the complaint handler came to look at the issue of the administration of the complaint, he included it as an extant issue in relation to the overall complaint concerns.*
- *AXIS has told us that it cannot be sure why the call handler made the error he did (if such an error was made), but it reiterated that it had no bearing on the claim. Be that as it may, I believe it more likely than not that an error took place.*
- *I say that because Mr N discussed his trepidation about being asked for evidence of nationality during the call; I do not believe it likely he would incorrectly state his nationality when it formed the crux of his previous concerns. I am satisfied it is more likely that the call handler made an incorrect file note. And the impact of that error led Mr N to believe that he may have been discriminated against or otherwise treated unfairly on the grounds of his nationality.*
- *And though the complaint handler also said Mr N confirmed his nationality during the complaint call of 7 March 2025 (that being his place of birth, not the UK), this was derived from the complaint handler's notes based on his recollection of events. I cannot verify this, since the call wasn't recorded.*
- *Given the content of Mr N's two further emails from later that day, I believe it more likely that Mr N wouldn't have incorrectly given his nationality as his place of birth when he felt particularly strongly that he didn't need to disclose it at all (on the basis of him having British nationality).*
- *Secondly, though CEGA accepts it made an error with failing to call Mr N back as promised after his call on 28 January 2025, I don't believe an apology sufficiently recognised the upset Mr N was caused due to that failure. It came after he had sought to chase his claims on several occasions whereby he had explained his particular stressful circumstances. Whilst CEGA wasn't responsible for those external factors, I believe it could have been mindful that making an assurance to call Mr N but not doing so would have a notable impact on him at that time.*

- *So, I think the impact of these two errors should be rectified by way of a small monetary award. What this service does is consider if a business has treated its customer(s) unfairly because of its actions or inactions. And if it has done so, we then go on to consider what ought to be done to put the mistake(s) right. In this case, CEGA made an incorrect file note regarding Mr N's nationality, and it also promised him a call back which never materialised.*
- *As well as putting right any financial losses in a complaint (though there are no losses in this circumstance as the claims were correctly settled), we also consider the emotional or practical impact of any errors on a complainant.*
- *Overall, I believe a total payment of £200 is reasonable in the circumstances where CEGA (on behalf of AXIS) and AXIS caused Mr N upset and frustration. Though AXIS has already apologised, these two mistakes had more than a minimal impact on Mr N. He was caused concern about the nature of CEGA's administration and this perpetuated his lack of faith and a perception that his claim was being looked at with unfair bias. Though I am otherwise satisfied that the claim wasn't unfairly processed nor was it discriminatory, the errors led to an impact on Mr N which I believe in this circumstance extends beyond the apologies set out in the two final response letters.*

Mr N made further comments. He said:

- He had his own recording of the second call with AXIS's complaint handler. And he felt this showed he had been unfairly treated, for which more appropriate compensation would be £500.
- He finds it unacceptable that AXIS's complaint handler continued to assign a nationality to him against repeated and explicit clarification that he was British. This caused him significant distress and upset at an already challenging time.

AXIS noted one administrative error in my provisional wording where I had erroneously referred to CEGA rather than AXIS – which I apologise for and I have amended. It also felt the £200 compensation was too high for minor errors. It said that Mr N's conclusion that these errors must be due to an unfair bias or deliberate discrimination, rather than simply everyday mishaps, was unreasonable and not rooted in the facts of the complaint.

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 note that my provisional findings ought to be read in conjunction with my final findings. I have carefully considered all of the additional comments from both parties. I remain of the view that the appropriate outcome to this complaint is that AXIS ought to pay Mr N £200 in reflection of the errors I have outlined already in my provisional findings.

Mr N has been able to provide his own recording of the second call with AXIS's complaint handler. I have listened to that call in full. However, I do not agree with Mr N's interpretation that the complaint handler continued to unfairly assign him a nationality that was based on his country of birth.

Mr N clearly felt unhappy about that mistake, and he discussed his perception of events. However, I do not agree that the complaint handler acted unfairly or unreasonably towards Mr N on the basis he has described. My view is that this call was a revisiting of what the complaint handler had said in his first final response letter – based on the earlier call and

incorrect file note, which had an undue impact on Mr N. I do not find that AXIS acted unfairly during this call such that a higher payment of compensation is warranted here.

I also do not agree with AXIS that these errors were trivial or had a lesser impact than has been suggested. I remain of the view that £200 is the appropriate compensation, for the reasons already set out. Though I've considered the additional evidence and comments, nothing I've seen changes my view of the amount of appropriate compensation for the two instances where CEGA and AXIS made unnecessary mistakes that caused Mr N distress.

Putting things right

For the reasons set out above in my provisional findings, I believe a total payment of £200 is reasonable in the particular circumstances where errors made by AXIS (and CEGA on behalf of AXIS) caused Mr N upset and frustration.

My final decision

AXIS Specialty Europe SE must pay Mr N £200. I do not make any other award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 13 April 2026.

Jo Storey
Ombudsman