

## **complaint**

Mr N has complained that Aviva Insurance Limited refused to pay his travel insurance claim.

## **background**

Mr N has his policy as a benefit of his bank account. He became unwell on holiday and was diagnosed with a serious medical condition. He told Aviva he wanted to claim for his medical treatment while he was away.

Aviva said he visited a doctor the day before he'd travelled and this doctor had told him he wasn't well enough to travel.

Aviva said this meant he'd travelled against medical advice and so wasn't covered under the terms and conditions of his policy. Mr N said he didn't know at the time he went that his condition was serious and so he complained to Aviva.

Aviva still didn't think it should pay his claim so Mr N brought his complaint to us. The adjudicator didn't think Aviva had done anything wrong. But Mr N didn't agree and so his complaint's been passed to me for a decision.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr N's policy says he isn't covered if he travels against the advice of a doctor.

Mr N visited a doctor the day before he went on holiday. I've listened to the phone call between Aviva and the doctor and she's clear that she told him he wasn't well enough to travel.

The doctor said she thought Mr N was in too much pain to fly and also said his condition needed further investigation. She was clear that Mr N said he was still planning to travel. Aviva said this means Mr N travelled against the advice of a doctor and I think it's reasonable for it to say that.

I'm sorry to hear about Mr N's illness and I appreciate my decision isn't the one he was hoping for. But I think Aviva has acted in line with its policy terms and I don't think it's done anything wrong by refusing to pay Mr N's claim.

## **my final decision**

For the reasons set out above, 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 N to accept or reject my decision before 11 April 2016.

Sarann Taylor  
**ombudsman**