

complaint

Mr and Mrs M are unhappy that AXA Insurance UK Plc declined a claim on their travel insurance policy and with the way it's dealt with the claim.

background

Mr and Mrs M were going on a short break. But when they arrived at the airport the airline said only one of them could board the flight as it was overbooked. The airline offered an alternative flight later that day but said only one of them would be compensated as the other could've travelled on the original flight. Mr and Mrs M felt this was unacceptable as they would have to wait in the airport for a long time, they'd miss a lot of their break and only one of them would be compensated. So, they both went home.

Mr and Mrs M made a claim on their travel insurance. But AXA refused to deal with it saying there's no cover because they were offered another flight within 12 hours.

Mr and Mrs M say this isn't reasonable and AXA hasn't thought about what happened to them.

Our adjudicator felt that this complaint shouldn't be upheld. She recognised how frustrating and upsetting events had been. But this was caused by the airline not AXA. The policy says there's no cover if despite overbooking a flight an alternative one is offered within 12 hours. In this case an alternative flight was offered within this period. But Mr and Mrs M chose not to accept it. It's not for AXA to pay for that decision. There was no cover under the policy and AXA doesn't have to pay the claim.

Mr and Mrs M remain unhappy. Mrs M says the compensation from the airline wouldn't have covered the cost of the trip – it would only have covered one quarter of it. They were on a short break. AXA should acknowledge this. It hasn't considered their individual circumstances. The policy wasn't fit for purpose as it hasn't paid out when they were unable to travel through no fault of their own.

my findings

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

I agree with the adjudicator and her reasons. I don't think AXA has done anything wrong. It's simply applied the terms of policy. I also think it's handled the claim appropriately.

Overall, although I recognise Mr and Mrs M's frustration I don't see any compelling reason to change the proposed outcome in this case.

my final decision

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs M to accept or reject my decision before 8 February 2016.

Stephen Cooper
ombudsman