

complaint

Mr and Mrs D complain about the service they received from Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. when Mrs D made a claim on their travel insurance policy.

background

Mrs D fell ill while on holiday abroad. She was admitted to hospital for several days. Mapfre organised her return to the UK. Mr and Mrs D are unhappy with the service it provided. They say Mapfre delayed her return to the UK by 2-3 days. They're also unhappy with its lack of communication during that period.

Our adjudicator recommended that this complaint should be upheld. She considered on balance that Mapfre had caused delays. She recommended £200 compensation should be paid for the trouble and upset Mrs D had been caused as a result.

Mapfre disagreed and asked the adjudicator to reconsider. It said Mrs D was brought back to the UK in a timely manner. After reviewing the case, the adjudicator increased the recommended compensation to £350.

Mapfre has asked for an ombudsman review. It says it acted correctly when arranging Mrs D's return. It thinks its being punished financially for challenging the adjudicator's initial recommendation.

my findings

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

Mapfre says it returned Mrs D to the UK as soon as possible. It accepts it sent a medical release form to the wrong fax number. But it doesn't accept that this caused a delay. It says it started arranging Mrs D's return as soon as it'd confirmation that she would be fit to fly.

Mapfre's assistance notes show that attempts to organise Mrs D's return were put on hold until it'd seen her medical history and cover was decided. Although it knew when she was supposed to be fit to fly, it didn't actually start arranging her return until after she was discharged.

I think on balance that Mapfre would've had Mrs D's medical history 2-3 days earlier had it not sent the release form to the wrong fax number. As Mapfre was waiting for the medical history before arranging Mrs D's return, I think that it's likely that the faxing error therefore delayed Mrs D's return.

I have no doubt that this 2-3 day delay caused Mrs D additional distress and upset. She was aware that she needed urgent surgery on her return to the UK. So it's understandable that any delay to her return would've caused her significant additional concern and distress. I also think this would've caused Mr D concern and upset. Mr and Mrs D clearly felt that her urgent treatment was being unnecessarily delayed and they naturally worried about the possible, potentially very serious, consequences.

In addition Mapfre didn't get in touch with Mr or Mrs D in the two days leading up to her discharge despite having agreed to contact Mr D with an update about the flights. I think this lack of communication in an already distressing situation would've also added to the upset Mr and Mrs D suffered.

Taking account of all the circumstances and the level of awards we make, I think a payment of £350 compensation for the additional distress and upset Mr and Mrs D were caused is fair and reasonable.

Mapfre says it's being punished financially for challenging the adjudicator's initial recommendation. I don't agree for the reasons I've already explained.

Overall, I don't see any compelling reason to change the proposed outcome in this case.

my final decision

For the reasons I've discussed above my decision is that I uphold this complaint and I require Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A to pay Mr and Mrs D the sum of £350 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs D to accept or reject my decision before 9 November 2015.

Stephen Cooper
ombudsman