

## **complaint**

Mrs B complains that AXA Insurance UK Plc unfairly rejected her travel insurance claim.

## **background**

Mrs B was abroad driving and stopped outside a shop as she wanted to buy something. She had a bag with her, which contained an iPad, and she put it under a seat. She went into the shop and returned after about five minutes. Mrs B noticed her bag had been moved and the iPad was missing. She said someone had broken into the car so made a claim for the theft.

AXA didn't pay Mrs B's claim because the iPad was a 'valuable' and these were only covered by the policy when left unattended *if* kept in a hotel safe, safety deposit box or locked accommodation. As Mrs B's iPad was left unattended in a car AXA kept to its original decision.

Our adjudicator said AXA had been entitled to refuse paying Mrs B's claim. He explained the relevant parts of the policy that meant Mrs B's claim wasn't covered. She didn't agree as she felt AXA should have told her straight away that her claim wasn't covered. She was unhappy that she was told to enjoy the rest of her trip and to sort things out when she got home.

## **my findings**

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

Mrs B's policy defines valuables as including computer equipment, which I think includes iPads. And valuables aren't covered at all if left unattended in a car, even when left under a seat. As Mrs B was inside a shop for five minutes to buy something she wasn't in a position to make a theft unlikely. So I think it's more likely than not that the car (and so the iPad too) was left unattended. This means the theft of the iPad wasn't covered and so AXA was entitled to refuse payment of Mrs B's claim.

I appreciate Mrs B would have preferred AXA to tell her it wasn't going to pay her claim as soon as she called. But a hasty decision based on incomplete information could give rise to a complaint about making a rushed decision. I think AXA was entitled to take a reasonable amount of time to investigate and make its decision. It did this within four weeks and in the circumstances I think this was reasonable.

**my final decision**

My final decision is that I don't uphold Mrs B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 13 November 2015.

Sean Hamilton  
**ombudsman**