complaint

Mr P complains about Solid Försäkringar AB's decision to refuse a claim for a cancelled holiday under a travel insurance policy.

background

In November 2014 Mr P and his partner, Miss J booked a holiday for June 2015. He didn't take out travel insurance at the time but instead looked around for a suitable policy.

Unfortunately in May 2015 Miss J's mother fell ill and was admitted to hospital. She needed an operation and became seriously ill, having to be admitted to an Intensive Treatment Unit (ITU). Her health then appeared to make some progress.

15 days after his partner's mother was admitted to hospital Mr S took out a travel insurance policy. But one week later Miss J was advised by the hospital doctor not to go on holiday due to the deteriorating health of her mother. So Mr P cancelled the holiday and made a claim to Solid.

Solid declined the claim. It said the policy didn't provide cover if Mr P and Miss J had been aware of any medical condition of a close relative that could 'reasonably be expected to result in a claim'. Mr P didn't agree with Solid and complained to this service.

Our adjudicator investigated the complaint. She recommended that it wasn't upheld. Although sympathetic to their situation she thought that it would've been reasonable to expect that the health problems of Miss J's mother might require them to have to cancel the holiday. Mr P disagreed and so the complaint was passed to me.

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 appreciate that Mr P and Miss J found themselves in a very stressful situation when her mother was admitted to hospital. And I also understand why Mr P delayed in purchasing his travel insurance. I accept they intended to go on their holiday when it was bought. But the issue for me is whether Solid acted reasonably when it made its decision to decline Mr P's claim.

I've seen the policy. The restriction on being able to claim if a close relative becomes unwell is an important term. But I think the policy clearly says it won't cover the cost of a cancelled holiday if a relative's medical condition "could reasonably be expected to result in a claim". Miss J's mother had to spend a total of 14 weeks in hospital before she could be discharged. So I think this shows how ill she'd been. Mr P says he and Miss J weren't aware of the seriousness of her condition and planned to go on holiday. It was only because of the doctor's advice that they cancelled.

I've seen that at the time they purchased the travel insurance Miss J's mother had been readmitted to the ITU, having earlier been moved to a surgical ward. She had developed a breathing problem and was intubated to help her rest. So she was having help with her breathing. And although it seems that her health was making progress she was still receiving intensive medical treatment.

I understand that Mr P and Miss J may not have fully understood how ill Miss J's mother was but in light of the treatment she was receiving I think it was clear the situation was serious and her health unstable. I think they should have reasonably realised there was a real chance that the holiday would have to be cancelled. It's reasonable for Solid to apply the policy term.

So I think Solid's decision was fair and I'm not upholding the complaint.

my final decision

I'm not upholding the complaint. I don't require Solid Försäkringar AB to take any action.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 15 February 2016.

Jocelyn Griffith
ombudsman