

The complaint

Ms T is concerned that she'd be required to travel too far for radiotherapy if she was diagnosed with cancer and needed to make a claim on the private medical insurance policy, she has with BUPA Insurance Limited ('the policy'). Particularly as the policy describes having 'local hospital care'. She's also unhappy with the overall service she received.

What happened

Ms T has had the benefit of a private medical insurance policy with BUPA for many years. In 2023, she asked BUPA what hospital she'd be covered at if she was ever diagnosed with cancer and required radiotherapy. She's unhappy that the nearest BUPA recognised facility providing this treatment would involve a 500-mile round trip from where she lived.

She made a complaint to BUPA and raised concerns about other customer service issues. BUPA partially upheld her complaint. It offered £75 total compensation for the times when it accepted its customer service was below standard.

However, it said:

In the event you were diagnosed with cancer, the hospitals that are available to you for treatment depend on certain factors. These include the type of cancer you have been diagnosed with and whereabouts in your body the cancer is.

As most of our consultants also work within the NHS, it would also depend on which hospitals they work from.

Most private hospitals don't have radiotherapy machines, so the treatment is usually carried out in an NHS hospital. Because of this, we can't guarantee the locality or the availability of the treatment.

If there is a hospital that you are willing to travel to, it is very likely that our out of network team would agree to it.

We would liaise with the chosen hospital and discuss prices for the treatment. Once a price has agreed we can then agree for you to be treated at that hospital.

It also confirmed that it often agreed to cover radiotherapy at a (NHS) hospital in a city which was much closer to where Ms T lived than the BUPA recognised facility involving a 500-mile round trip.

Unhappy, with the response, Ms T complained to the Financial Ombudsman Service. Our investigator looked into what happened and didn't uphold her complaint. Ms T disagreed so her complaint has now been passed to me to consider everything afresh to decide.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and

reasonable in the circumstances of this complaint.

BUPA has a regulatory obligation to treat customers fairly. It must also handle insurance claims fairly and promptly. Although here, a claim to cover radiotherapy treatment hasn't been made.

Not confirming the medical facility where Ms T could have radiotherapy under the policy

The policy terms and conditions say:

Your cover for eligible treatment costs depends on you using certain BUPA recognised medical and other health practitioners and recognised facilities.

Please note:

- the medical practitioners, other healthcare professionals and recognised facilities you use can affect the level of benefits we pay you
- certain medical practitioners, other healthcare professionals and recognised facilities that we recognise may only be recognised by us for certain types of treatment or treating certain medical conditions or certain levels of benefits
- the medical practitioners, other healthcare professionals and recognised facilities that we recognise and the type of medical condition and/or type of treatment and/or level of benefit that we recognise them for will change from time to time.

Ms T doesn't require radiotherapy treatment. However, I can see why she queried which facility BUPA would cover if she ever needed this treatment. And why she doesn't think the nearest BUPA-recognised facility offering radiotherapy treatment is "local".

However, BUPA has said that although there's a BUPA-recognised facility which offers radiotherapy around 250 miles from where Ms T lives, it's also said most private hospitals don't have radiotherapy machines, so the treatment is usually carried out in an NHS hospital. Because of this, it can't guarantee the locality or the availability of the treatment. And it also depends on the type of cancer diagnosed.

If this did happen while the policy was in force, it's also said that if there's a hospital that Ms T is willing to travel to, it's very likely BUPA would agree to it. It would liaise with the chosen hospital and discuss prices for the treatment. And once a price is agreed, it can then agree for her to be treated at that hospital. I have no reason to doubt what BUPA says about that.

And although this might not give Ms T the absolute assurance she requires, the policy terms do say that the medical practitioners, other healthcare professionals and recognised facilities will change from time to time. So, even if a medical facility is currently on the recognised hospital list for the level of policy Ms T has, it doesn't necessarily mean it would be on the list at the time she required any treatment in the future.

If this unfortunate situation should occur in the future and Ms T required treatment for radiotherapy, I would generally expect BUPA to weigh up all up circumstances at the time to ensure that Ms T was treated fairly. That could include considering how far she would need to travel for treatment, the type of treatment, her state of health and how reasonable it is to ask her to travel a particular distance. And, again, if that situation did occur and Ms T was unhappy with the facility authorised by BUPA then, she would be free to raise a further complaint at that time.

The service provided by BUPA

In its final response letter dated June 2023, BUPA accepts that it should've logged Ms T's initial dissatisfaction as a complaint and investigated it. It also accepts that Ms T had to wait longer than necessary to speak to a representative on the phone due to high call volumes.

BUPA also accepts that during a call on 5 May 2023, its representative wasn't really listening to Ms T's concerns and talking over her. And marked her complaint as resolved even though she hadn't agreed to that.

It's apologised for the service failings, said it would provide feedback and offered Ms T £75 in recognition of what it should've done better. I'm satisfied £75 compensation fairly reflects the distress and inconvenience experienced by Ms T as a result of the customer service issues set out above.

During the call on 5 May 2023, BUPA's representative did comment that there were more hospitals in a particular city offering radiotherapy. I'm not persuaded that this comment was unfair or rude in the circumstances. Having listened to the call, I accept BUPA's explanation that this was said in the context of where someone lives can impact the availability of certain treatment or facilities.

My final decision

BUPA Insurance Limited doesn't need to do anything more to put things right.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms T to accept or reject my decision before 9 February 2024.

David Curtis-Johnson
Ombudsman