

## **The complaint**

Mr W complains about the decision by Astrenska Insurance Limited to turn down his travel insurance claim.

## **What happened**

Mr W holds an annual travel insurance policy with Astrenska. He was due to travel abroad on 23 October, but decided not to do so as his daughter was unwell. He made a claim for the costs he incurred in cancelling the trip.

Astrenska turned down the claim, as it said Mr W hadn't shown that the cancellation had been medically necessary. Though it paid him £30 compensation for wrong information given to him during a phone call.

Unhappy with this, Mr W brought a complaint to this Service. He also said he'd been misled by Astrenska during a phone call, and thought if he hadn't been given the wrong information, he could have made a successful claim.

Our investigator didn't recommend the complaint be upheld. She thought Astrenska's claims decision had been reasonable. Although Astrenska had wrongly told Mr W that a medical form wouldn't be needed, she noted this was after Mr W had already cancelled his trip. Our investigator thought the £30 compensation Astrenska had paid by way of an apology for this was reasonable.

Mr W didn't accept our investigator's findings, and so the matter has been passed to me for a decision.

## **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.

The policy covers:

*'1. The death, injury, or illness of:*

*...*

*b. An immediate relative'*

The policy says it doesn't cover:

*1. Claims for illness or injury where a medical certificate has not been obtained from a medical practitioner confirming it was medically necessary to cancel the trip.'*

Mr W explains that his daughter began to feel unwell with a fever around three days before his flight, and he thought she had a nasty cold. Then on the day he was due to travel, his daughter's symptoms became worse, and she also had headaches as well as a fever. He was concerned about her symptoms because of an illness she had several years earlier.

Whilst I can appreciate why Mr W decided not to travel, the policy terms are clear that as the trip was cancelled due to illness, he would need to provide supporting medical evidence that the cancellation was medically necessary. As our investigator has explained, this is a very common requirement for travel insurance policies where a cancellation claim has been made for illness.

Mr W has provided a letter from his own GP dated 3 November which said that he had to cancel his plans as his daughter was unwell. However, Mr W's daughter didn't seek medical advice before he made the decision to cancel the trip, so there's no evidence to support that the cancellation was medically necessary.

Mr W says he spoke with Astrenska on 28 October, and had been given the wrong information by its agent. He says if he had been advised correctly that a medical report would be needed, then he could have obtained this.

I've listened to this call. Mr W explained that he couldn't travel five days earlier because of his daughter's illness. He said the airline had given him a travel voucher, but he would need to claim for accommodation. The agent explained that Astrenska would need medical confirmation from Mr W's daughter's treating doctor advising of her illness.

Mr W said his daughter had a nasty cold and he hadn't taken her to the GP. He said if he asked the GP for a report, he'd be asking for a medical certificate for a previous illness, and he didn't think they'd do that as she had recovered. The agent said that this would be needed for a cancellation claim to be considered, otherwise the claim would be denied. The agent offered to go ahead and register the claim, which Mr W agreed to. The agent then told Mr W that a form would need to be completed by the GP, but then said that wouldn't be necessary as Mr W's daughter wasn't covered under the policy.

Astrenska accepts that it gave Mr W the wrong information in the call. Although the agent correctly said initially that medical confirmation would be needed from the treating GP, the agent later said that the form wouldn't need to be completed, which wasn't correct. Astrenska paid Mr W £30 compensation by way of apology for the confusion caused. I think that was reasonable, as I can't see that the wrong information made any difference to the claim.

Although Mr W says that he could have obtained a medical report if it had been made clear to him on 28 October that this was needed, this conversation took place five days after Mr W had been due to travel and his daughter had apparently nearly recovered. Therefore, even if Mr W's daughter had seen a GP at this time, they wouldn't have been able to comment on whether it had been medically necessary for Mr W not to travel five days earlier.

I therefore find that Astrenska's decision not to pay the claim was reasonable.

Mr W says he had to pay for his own GP report. This wasn't requested in the call, and I can't see that this was requested in any of the correspondence sent to Mr W, so it isn't clear why Mr W went to his own GP for a report. I note that later correspondence sent to Mr W from Astrenska said that a medical certificate would be needed by his relative's GP in relation to the condition which gave rise to the claim, and that if this incurred a cost it wouldn't be covered by Astrenska. I therefore don't find that Astrenska should reimburse Mr W for the amount he paid to obtain a GP report.

Mr W is also unhappy that he had to go through the time and effort of making a claim that had no chance of being approved. However, Mr W chose to go ahead and register the claim knowing that he would need medical evidence to support that it was necessary for him to

cancel his trip, and the claim would be turned down without this (despite the later confusion about the form at the end of the call). That was of course up to Mr W.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 11 October 2023.

Chantelle Hurn-Ryan  
**Ombudsman**