

The complaint

The estate of the late Mr R has complained about Inter Partner Assistance SA ('IPA').

What happened

Mr R had a travel insurance policy underwritten by IPA. He sadly passed away during his trip to France on 15 July 2022. His body was taken to a French funeral home, an embalming process took place, the coffin was sealed and arrangements were made for Mr R to be brought back to the UK. The initial flight was booked for 22 July but the flight operator hadn't reserved the booking and so the next available flight was booked for 26 July.

A claim was made to IPA who appointed agents to deal with the repatriation.

Mr R's coffin was transported from France and arrived in the UK on 26 July. It remained sealed until 5 August at the direction of the Coroner. But when the coffin was opened, the body was found in a poor condition and immediate cremation was necessary.

The estate complained to IPA but it explained it had no control over the French authorities or the embalming processes.

Unhappy, the estate referred its complaint to this Service. Our investigator looked into the complaint but didn't think IPA were responsible for any delays or poor service.

The estate disagreed and in summary, has made the following comments:

- IPA should have done more to challenge the flight operator
- IPA should have managed and challenged the embalming process which took place in France
- IPA can further investigate and should be asking questions on behalf of the estate

And so the case has been passed to me for a final 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.

Having done so, I don't think IPA has done anything wrong. I'll explain why.

The relevant rules and industry guidelines say an insurer should handle claims promptly and fairly.

Our investigator has already set out the full background and facts of this case so I won't repeat everything here. Instead, I will focus on what I consider to be key to my decision:

- 16 July 2022 - Mr R was taken to a French funeral home. An embalming certificate dated the same day confirms the body had been embalmed. IPA were not

responsible for this. On the same day, IPA appointed an agent in France to arrange the repatriation. The agent was not involved in or responsible for the embalming process.

- 20 July – the agent collected Mr R's sealed coffin in a refrigerated transporter ready for a flight on 22 July. The booking hadn't been reserved by the flight operator and so the next available flight was booked for 26 July.
- 27 July – the agent collected Mr R's coffin and transferred it to the family appointed funeral directors on 28 July.

Having considered the above, I haven't identified any failings in the way IPA dealt with the repatriation. I'm further satisfied IPA investigated the matter adequately and sought to obtain answers for the estate in relation to the timeline and the procedures used.

IPA cannot be held responsible for the actions of third parties and I'm satisfied it appointed agents to manage the repatriation as quickly as possible.

As the embalming process and the sealing of the coffin was done by a third party, IPA and its agents cannot fairly be held responsible for the consequences. The flight operator made a mistake but I haven't identified any failings on IPA's part. So I don't hold it responsible for the delay in the repatriation.

Overall, I think IPA acted reasonably.

I'm really sorry to hear of the family's loss and the situation they found themselves in. And I know my decision will come as a disappointment. I can understand why the estate wants answers and feels IPA should have done more. But I can't reasonably hold IPA responsible for the embalming process or the delay in the flight. IPA did what it was expected to do.

The estate may want to raise complaints directly with the third parties responsible for the flight delay and the embalming process.

My final decision

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mr R to accept or reject my decision before 18 August 2023.

Shamaila Hussain
Ombudsman