

The complaint

Mrs N has complained that U K Insurance Limited ('UKI') has unfairly declined her claim.

Mrs N is represented by her son but for ease, all references to Mrs N include any submissions made on her behalf by her son.

What happened

Mrs N has a travel insurance policy through her packaged bank account.

She went abroad on holiday and unfortunately was involved in a car accident. She attended hospital for medical treatment and contacted UKI to make a claim for medical assistance.

UKI told Mrs N the claim couldn't be covered because she was over 70 and hadn't purchased an age extension which was required.

Mrs N complained and unhappy with UKI's response, referred her complaint to this Service.

Our investigator looked into the complaint but didn't think UKI had done anything wrong as it had correctly applied the policy terms and conditions. In addition, it had offered to pay transport costs from the first hospital to the second, outside the policy terms.

Mrs N disagreed and in summary, has made the following comments:

- She hoped UKI would offer to pay medical expenses as the transport costs were minimal
- Her costs are in the thousands
- She thinks there is a mis-sale as the bank didn't tell her an age extension was needed when she opened the account

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 this complaint should be upheld. I'll explain why.

The relevant rules and industry guidelines say an insurer should handle claims promptly and fairly. And shouldn't unreasonably reject a claim.

The policy terms under 'important information' say:

"Your policy will only operate...while you are aged under 70 years, unless you have bought an age extension..."

Changes to your insurance or to upgrade your cover

You must tell us immediately after booking your trip if any of the following extra cover is required (an additional premium may apply)...

- *Age extension: if any insured person is aged 70 years or older... All upgrades must be bought before you depart on a trip."*

The Insurance Product Information Document also explains that cover is only available for anyone aged 70 or older if an age extension upgrade is purchased.

Mrs N's son purchased an age extension after the trip had started and after her accident. But the age extension should have been bought before Mrs N departed on her trip for her to be covered. I don't think it was unfair for UKI to decline the claim as a result. It did however offer to pay some transport costs and has confirmed this offer is still open. Mrs N should contact UKI if she would like to accept the offer.

I'm sorry to hear of Mrs N's accident and injuries. But I can't fairly ask UKI to accept the claim.

Mrs N is also unhappy about the sale of the packaged bank account but that doesn't form part of this complaint and decision. A separate complaint will need to be made about the bank.

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 Mrs N to accept or reject my decision before 5 September 2023.

Shamaila Hussain
Ombudsman