

## **The complaint**

Mr and Mrs K are unhappy with the way AXA Insurance Plc (AXA) handled their claim on their travel insurance policy.

## **What happened**

Mr and Mrs K took out a single trip travel insurance policy on 13 June 2022 for them and their two children. The policy covered their trip from 3 August 2022 to 19 August 2022 and was underwritten by AXA. Their trip involved travelling to different destinations within the same country.

While on their trip, on 8 August 2022, their young daughter was bitten by a stray cat. Mr K contacted AXA who confirmed that their daughter should get her first dose of the rabies vaccine at a government hospital as only they would be able to provide this rather than a private hospital. So, they visited the government hospital, and the first vaccination dose was provided. They experienced a big language barrier and lack of understanding and care at this hospital.

On 10 August 2022, Mr and Mrs K received a call from AXA and there was a misunderstanding on the advisor's part that Mr and Mrs K and their family were due to return to the UK on that same day. However, Mr K had already explained to the previous advisor that they were due to fly to another destination within the same country and not return home until 19 August 2022. Mr K explained what had happened again and said they would like to return home early because they were worried about the health and safety of their daughter. He explained their daughter had already had one vaccination in the government hospital and their experience had been concerning. He said the rest were due on 12 August, 16 August, and 23 August - the last one would be in the UK as they will have returned by this point. The advisor said someone would get in touch with them.

On 10 August 2022, the advisor asked its in-house doctor for advice whether it would be medically necessary for Mr and Mrs K and their family to curtail their trip. The doctor advised it wouldn't be medically necessary. He also said the vaccinations proposed were appropriate based on what happened, and no further action was required.

Mr K sent details requested by AXA by email on 11 August 2022.

No further communication was received from AXA until 15 August which confirmed receipt of documents sent by Mr K to it and asked how their daughter was and asked for a medical report and if their daughter had taken the vaccination.

On 18 August, Mr K received another email asking how their daughter was and if she had received the prescribed vaccinations.

Mr K hadn't replied to either of the emails AXA sent to him on 15 August or 18 August.

On 19 August, Mr and Mrs K and their family returned to the UK as planned.

They made a complaint to AXA on their return. AXA responded and apologised for the poor service they had received and the lack of communication. It offered Mr and Mrs K £200 in recognition of this.

Unhappy with AXA's response, Mr and Mrs K brought their complaint to this service. Our investigator looked into it and agreed that AXA's service was poor, but she concluded that £200 was fair compensation for what had happened and how they'd been treated.

Mr and Mrs K disagreed and asked for the complaint to be referred to an ombudsman. In summary, they say:

- Their holiday was ruined. They were waiting in anticipation of AXA informing them whether a flight home could be arranged. But they received no such communication.
- Had AXA informed them that it couldn't arrange a flight home, they would have done so themselves at their own cost as the health and safety of their daughter was more important to them.
- The situation was stressful and unsafe for them and could have been avoided had AXA communicated better with them.
- They would have been better off without the travel policy as the entire situation has caused them stress and worry for their daughter's health but also because of the lack of service provided by AXA.

### **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 insurance industry regulator, the Financial Conduct Authority ('FCA'), has set out rules and guidance for insurers in the 'Insurance: Conduct of Business Sourcebook' ('ICOBS').

ICOBS says that insurers should act honestly, fairly and professionally in accordance with the best interests of their customers, and that they should handle claims promptly and fairly and shouldn't unreasonably reject a claim.

Mr and Mrs K are unhappy with how AXA dealt with their claim. Although it offered £200 compensation for the overall service it provided, Mr and Mrs K believe this isn't sufficient based on what happened.

So, the key issue I need to decide is whether the level of compensation AXA has offered is fair and reasonable in the circumstances of what happened.

I want to be clear that while Mr and Mrs K experienced a language barrier and a complete lack of care at the government hospital where their daughter had her first dose of the vaccination, this isn't an issue that I can look at within my role. So, I won't be commenting on the experience they had at this hospital or the service it provided.

Additionally, I'm not a medical professional and I therefore will only be looking at whether AXA dealt with Mr and Mrs K fairly and reasonably. I won't be commenting on the vaccination itself or whether any other type of treatment would have been more valid.

I've carefully considered all of the information provided, which includes listening to all of the telephone calls AXA had at the time with Mr K.

Mr K did the right thing by calling AXA to inform it of what happened. He was clearly worried about the effect of the bite to his young daughter and asked AXA if they could return home earlier than they'd planned. AXA said it would get back to him. I can't see that AXA gave him an answer on this at all.

AXA did make some enquiries about the vaccination, and I understand there was some confusion as to when Mr and Mrs K and their family were returning to the UK. But again, this was clarified to AXA in another call by Mr K.

Following the initial calls, I can see AXA sent two emails to Mr K asking how their daughter was and confirmed receipt of the documents sent by Mr K. Neither of these emails confirmed what the doctor had advised on 10 August to the advisor. And I can't see that any further telephone calls took place between AXA and Mr K since 10 August 2022. The next telephone call was on 19 August from Mr K to AXA to make a complaint about how their claim had been handled.

Having looked at what happened, I agree that the service AXA provided could have been better. There was some confusion initially about when Mr and Mrs K would be returning to the UK. That was clarified early on by Mr K to AXA. The main issue here is that AXA didn't let Mr K know what the doctor had said and following the call it had with Mr K on 10 August 2022, there were two general emails sent to him but again no communication about whether they could return home earlier than planned.

At the same time, after Mr K sent AXA the information it asked for on 11 August 2022 by email, he made no further contact with AXA to chase for a response about returning home earlier. I can't see that he replied to the emails of 15 August or 18 August. I appreciate these emails were sent to him nearer the time that they were due to return home. But nevertheless, he didn't respond.

With the above actions that took place (or didn't take place) in mind, I agree with the investigator that £200 compensation is fair and reasonable in the circumstances. I say this because while I don't doubt the service AXA provided could have been better – especially as it involved a young child's health and well-being, there was also a lack of communication following the email sent to AXA on 11 August by Mr K. I don't think AXA took into account the concerns Mr K had communicated to it and it didn't let Mr K know what the doctor had said.

I do acknowledge Mr and Mrs K's comments that they were concerned for the health and safety of their daughter, and they were worried about this during their trip. They say they were waiting for AXA to contact them, and it was its responsibility to do so. I don't dispute this. Equally though, I would also have expected Mr and Mrs K to prompt a reply from AXA about returning home early had they been so concerned about their daughter. They didn't reply to either of AXA's emails. Mr and Mrs K say they would have returned home early had they known AXA wouldn't agree to doing this. However, again, had they been so concerned about their daughter and the impact of the bite, I would have expected them to make immediate arrangements and chase AXA for a response. I can't see that this happened.

I understand Mr and Mrs will be disappointed and I appreciate that Mr and Mrs K and their family experienced a stressful and worrying time on their trip. Overall, however, I do agree the service provided by AXA could have been better and based on everything that happened, I think £200 is fair and reasonable compensation for this. If Mr and Mrs K wish to accept this, they should contact AXA directly for the payment to be made to them, if it hasn't already done so.

**My final decision**

For the reasons given above, I don't uphold Mr and Mrs K's complaint about AXA Insurance UK Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs K to accept or reject my decision before 16 August 2023.

Nimisha Radia  
**Ombudsman**