

The complaint

Mr R has complained that Chubb European Group SE ('Chubb') has declined his claim.

What happened

Mr R has a personal accident insurance policy, underwritten by Chubb.

He made a claim in 2022 following an accident and injuries he sustained abroad which Chubb declined as it said the accident happened outside of the specified geographical areas in the policy.

Unhappy, Mr R complained and referred his complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint but didn't think Chubb had incorrectly or unfairly declined the claim.

Mr R disagreed and asked for an Ombudsman's decision. He said the exclusion doesn't relate to section A or bodily injuries. And he had treatment in the UK which should be covered.

So the case has been passed to me 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.

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 has an exclusion which says: *"No benefits will be paid under this Policy for any Bodily Injury sustained or loss incurred whilst the Insured is outside Europe, the United States of America, Canada, Australia or New Zealand..."*
- Mr R had an accident where he sustained injuries in a country outside of Europe, the United States of America, Canada, Australia and New Zealand and so no benefit is payable under the policy.
- Mr R says the exclusion is ambiguous because the exclusion doesn't say it applies to section A. And he received treatment in the UK for his injuries following his return.
- But the policy exclusion refers to benefits under 'this Policy' which means the exclusion applies to all sections of the policy, including section A. So this policy would only pay a benefit under any of the sections if the bodily injury was sustained in Europe, the United States of America, Canada, Australia or New Zealand.

- As Mr R's injuries were sustained in a country not listed here, there is no cover and so I don't think Chubb incorrectly or unfairly declined his claim.

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 Mr R to accept or reject my decision before 3 November 2023.

Shamaila Hussain
Ombudsman