

## The complaint

Miss R complains about the decision by Inter Partner Assistance SA ('IPA') to turn down her travel insurance claim.

## What happened

Miss R holds travel insurance cover with IPA. She intended to travel to a country (that I'll call 'P'). However, after a state of emergency was declared in P, Miss R decided not to travel there. She submitted a claim to IPA for the cost of her cancelled flights.

IPA turned down the claim as it said the Foreign, Commonwealth & Development Office ('FCDO') hadn't advised against all but essential travel to P, as required by the policy terms for a claim to be paid. Unhappy with this, Miss R brought a complaint to this Service.

Our investigator didn't recommend the complaint be upheld. She agreed with IPA that the policy didn't provide cover for the cancellation of the trip due to these circumstances.

I issued a provisional decision on 14 September 2023. Here's what I said:

*'The policy provides cover for cancelling, postponing and abandoning a trip if the following circumstances apply:*

*'The UK Government (FCDO – Foreign, Commonwealth & Development Office) have issued, or upgraded a travel warning to "advise against all but essential travel" to the area You were intending to travel, and this was unforeseen at the time of booking.'*

*I appreciate the FCDO hadn't advised against all but essential travel to P, and so strictly speaking, IPA turned down the claim in line with the policy terms.*

*However, the FCDO had issued advice to avoid all areas where protests were taking place, and remain in a safe place. There were violent protests taking place in the area where Miss R had arranged to stay. So I think Miss R was following the FCDO advice by avoiding that area and therefore cancelling her trip to P.*

*It therefore seems to me that this complaint should be upheld on a fair and reasonable basis, and so I intend to require IPA to pay the claim in line with the remaining policy terms.'*

I asked both parties for any further comments they wished to make.

IPA responded to say it accepted my provisional findings.

Miss R didn't respond with any further comments.

## 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.

As neither party has provided any further comments for me to consider and IPA accepts my provisional findings, I remain satisfied that this complaint should be upheld for the same reason as set out in my provisional decision.

### **My final decision**

My final decision is that I uphold this complaint. I require Inter Partner Assistance SA to pay the claim in line with the remaining policy terms. Interest\* should be added at the rate of 8% simple per annum from the date of claim to the date of settlement.

If IPA considers that it's required by HM Revenue & Customs to take off income tax from that interest, it should tell Miss R how much it's taken off. It should also give Miss R a certificate showing this if she asks for one, so she can reclaim the tax from HM Revenue & Customs if appropriate.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss R to accept or reject my decision before 27 October 2023.

Chantelle Hurn-Ryan  
**Ombudsman**