

## **The complaint**

Mrs H has complained that Inter Partner Assistance SA (IPA) has delayed in fully paying a claim she made on a travel insurance policy.

## **What happened**

Mrs H made a claim in relation to medical treatment she received whilst abroad in August 2023, which IPA accepted. However, there have been issues with paying the various invoices involved.

Mrs H made an earlier complaint which was addressed by IPA in a final response letter (FRL) on 6 November 2023, in which it upheld the complaint and offered £250 for delay. This service looked at that complaint and considered that the offer by IPA was fair. However, matters still haven't been resolved as some invoices remain outstanding and Mrs H is being chased directly for payment. As such, she has made this second complaint. IPA sent its FRL to this complaint on 19 April 2024. It again accepted that it was responsible for unacceptable delays. This time it offered £350 for the period from 6 November 2023 up to April 2024.

Our investigator thought that the offer of £350 was fair and reasonable. Mrs H disagrees and so the complaint has been passed to me for a 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.

I've carefully considered the obligations placed on IPA by the Financial Conduct Authority (FCA). Its 'Insurance: Conduct of Business Sourcebook' (ICOBS) includes the requirement for IPA to handle claims promptly and fairly, and to not unreasonably decline a claim.

Any issues relating to matters prior to 6 November 2023 were considered as part of Mrs H's first complaint. Any matters arising after 19 April 2024 did not form part of this current complaint. So, to be clear, this decision is only looking at what has happened between the receipt of the FRL sent on 6 November 2023 and the FRL sent on 19 April 2024.

Mrs H says that the delays are part of a tactic to avoid paying the claim. From the evidence I've seen, I can't agree that is the case. IPA has fully accepted the claim and stated its intention to pay the invoices.

She has also said that IPA knowingly lied to her. Whilst she has been given incorrect information at times, I'm not persuaded that there has been any deliberate intention to mislead. But there is no doubt that the administration of the claim has been mis-managed.

Given that Mrs H was assured in November 2023 that steps would be taken to pay the remaining invoices as soon as possible, it must be beyond frustrating that the matter hasn't yet been fully resolved. Although one bill had subsequently been paid, three remained outstanding at the time of making this complaint.

Mrs H has explained how she received correspondence from debt collectors, including a letter from an international recovery firm on 11 November 2023, chasing the amount of \$6,344,71, which would have been very upsetting.

She has also spent a lot of time emailing and calling to chase for progress, which has also included calling the providers abroad. So, there is no doubt that Mrs H has put a lot of time and effort into trying to get the matter resolved.

IPA has fully accepted that the length of time it is taking to fully pay the claim is unacceptable. I've seen evidence that there is frustration from within IPA that the matter hasn't yet been settled. It's hard to believe that it can be proving so difficult. However, as our investigator has said, there is evidence that they are proactively trying to resolve the remaining issues.

From Mrs H's point of view, she feels powerless to move things on, she's worried about being chased for the debt, and the main thing she wants is for the remaining invoices to be paid. So, the offer of £350 doesn't really change that. This is all very understandable.

However, the remit of this decision is to consider whether IPA's response to her complaint – to pay £350 compensation (for the delay between 6 November 2023 and 19 April 2024) and to continue to monitor the claim payments – is fair and reasonable. And, overall, I think that it is fair and reasonable.

I know Mrs H thinks that £350 is insufficient for her time and trouble, let alone the stress involved. However, as an informal dispute resolution service, our awards are more modest than she might expect, and likely less than a court might award.

Going forward, I would expect IPA to do everything within its power to finally get any remaining invoices paid so that Mrs H can put this stressful period behind her. Depending on the time taken to achieve that, Mrs H would be entitled to make a further complaint if she so chooses.

Mrs H has concerns that her credit file may have been negatively impacted. If that turns out to be the case, I would expect IPA to assist in any way it can to help rectify that. Again, Mrs H would be able to make a new complaint about that should she feel it necessary.

I'm sorry that I am unable to draw matters to a close in the way that Mrs H would ideally like. But, in terms of looking at IPA's response to the complaint, I think it has acted fairly.

### **My final decision**

For the reasons set out above, my decision is that Inter Partner Assistance SA acted fairly and reasonably in the way it responded to Mrs H's complaint.

Inter Partner Assistance SA should pay the £350 compensation now if it hasn't already done so. It should also take all necessary steps to try and pay the outstanding invoices as soon as possible.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 26 July 2024.

Carole Clark  
**Ombudsman**

