

## **complaint**

Mrs A complains about the way in which AXA Insurance UK Plc (“AXA”) dealt with a travel insurance claim.

My references to AXA include its assistance agents.

## **background**

Mrs A and her husband Mr A had travel insurance linked to a bank account. The insurer is AXA.

While on holiday Mr A fell very seriously ill. Mrs A contacted AXA. When he was well enough he was brought back to the UK by air ambulance and taken into a UK hospital intensive care unit.

Mrs A complained to AXA about the way it had handled the repatriation arrangements for her husband, and in particular the time it took to bring him home. AXA said the time taken had been due to her husband’s medical condition. AXA did accept that it could have communicated better with Mrs A and paid her £250 compensation.

Mrs A came to us. She informed us that her husband had sadly passed away and she was upset that AXA had sent its response to the complaint to him. We explained the position to AXA. AXA said it hadn’t realised. It said sorry for the distress caused and paid an additional £150 compensation.

Our investigator looked into Mrs A’s complaint. She concluded that AXA had handled the repatriation properly. She thought the compensation it had paid was fair for the element of poor communication and for sending the response addressed to Mr A. At Mrs A’s request she listened to the available calls between AXA and Mrs A and explained that they didn’t change her view. Mrs A asked for a review so the complaint’s come to me.

## **my findings**

I’ve considered all the available evidence and arguments to decide what’s fair and reasonable in the circumstances of this complaint.

Having reviewed this case I can see that Mrs A had an extremely distressing time when her husband was seriously ill abroad. I’m also very sorry to hear of her loss.

My role is to assess whether AXA dealt properly with Mrs A’s assistance claim under her travel insurance policy. I need to consider whether any failings on AXA’s part added to Mrs A’s distress at such a difficult time. Mrs A has said that if AXA had handled the repatriation differently then her husband might not have passed away. I’ve looked at the evidence very closely to decide a fair and reasonable outcome.

Having done so overall I think AXA dealt properly and efficiently with Mr A’s repatriation. In my view AXA took all the steps necessary and in a timely way to bring Mr A home as quickly as medically possible. I will focus on the issues I think are central to this complaint.

In line with the policy terms I think that AXA made its decisions about repatriation in consultation with Mr A’s treating doctors and its own medical team. Mrs A has suggested

that its decisions might have been driven by financial considerations but I've not seen any evidence of that. My review of the case shows that AXA had Mr A's health and wellbeing at the centre of its decisions about repatriation. It made enquiries about his medical care and liaised with his treating doctors.

It was very difficult for Mrs A because I can see that she'd been told that Mr A could come home by air ambulance much earlier than he was actually brought back to the UK. So I can entirely understand her upset and disappointment when this was delayed a number of times. At times she wasn't feeling well herself and she explained to AXA she felt very alone. AXA's records show that it asked its local agent to visit her and also looked into arranging for a friend to travel to her for support.

The medical evidence shows that Mr A was very unwell. He received treatment in intensive care for much of the time. In order to travel home he needed to be fit to fly. I appreciate Mrs A was advised by his doctor that he could fly by air ambulance. But AXA's own medical team who are very experienced in aviation medicine were entitled to assess his condition before it could arrange for an air ambulance. The air ambulance team themselves have their own medical clearance guidelines.

The repatriation was by way of two stages. It took well over one month before Mr A was fit to fly on the first leg of the journey to a large city. I appreciate Mrs A had wanted to travel to a different, closer city where she had family. AXA looked into this. But it wasn't possible because of Mr A's medical needs and the air ambulance arrangements for the flight to the UK.

Because of Mr A's medical condition the arrangements for the air ambulance weren't straightforward. A number of steps had to be followed including getting him a visa, medical clearance for the air ambulance and up to date 'fit to fly' certificates. AXA also had to liaise with the UK hospital's intensive care unit to make sure a bed was available for Mr A.

Unfortunately there was a delay in getting the visa due to a local public holiday. This was out of AXA's control but must have been very frustrating for Mrs A as she had understandably just wanted to get home. Unfortunately the medical evidence shows that Mr A then had an infection, which further delayed the trip. The arrangements to bring him home had to be made based on his health at the point of repatriation. So there was disappointment again just before Mr A was repatriated but I don't think this was due to something AXA did wrong.

Mrs A complained to AXA about aspects of the air ambulance journey home, including her access to her husband during the trip, the manner of the medical staff and that the plane had to stop part-way through due to a technical problem. I am sorry to hear of this. But I don't think I can fairly hold AXA responsible for these issues, which were out of its control.

Mrs A complained she'd not been told to keep all her receipts to claim her expenses and AXA apologised for this. Our investigator asked it to send her a claim form for any expenses which were outstanding.

AXA has paid £250 compensation for not staying in touch with Mrs A enough. I think this was reasonable. I think initially AXA did keep in regular touch with Mrs A and was concerned about her well being. But after Mr A was moved to the city hospital I think AXA could have done more to update her. There was a lot going on 'behind the scenes' so this didn't delay the arrangements for bringing Mr A home. Overall I think £250 compensation was fair. I also

think AXA's additional payment of £150 compensation for writing to Mr A was fair, given the distress it caused Mrs A. That being so I don't uphold the complaint.

**my final decision**

Despite my natural sympathy for Mrs A, for the reasons I've explained my decision is that I do not uphold her complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs A to accept or reject my decision before 11 January 2020.

Amanda Maycock  
**ombudsman**