

complaint

Mrs and Mr L complain that Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. declined their claim for cancelling their holiday under their travel insurance policy.

background

Mrs and Mr L cancelled a planned trip, due to concerns about the Zika virus.

Mapfre said the circumstances weren't covered under Mrs and Mr L's policy. So, it declined their claim.

Mrs and Mr L complained to Mapfre. And, being unhappy with its response, they complained to this service.

Our adjudicator thought Mrs and Mr L's complaint shouldn't be upheld.

Mrs and Mr L disagreed with the adjudicator's conclusions, so the matter's been referred to me to make a final decision.

my findings

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

I've decided not to uphold Mrs and Mr L's complaint and I'll explain why.

Mrs and Mr L say they were trying for a baby at the time. And they followed advice both from the World Health Organisation and their GP. They say they appreciate the advice is much clearer for pregnant women than for those trying to conceive. And they say they feel very strongly this is a very unfair loophole for the insurers to use.

Mapfre says although there was advice and guidance for couples trying to conceive, there was nothing saying they shouldn't travel to the relevant country. And they say Mrs and Mr L's policy doesn't cover cancellation of a trip in these circumstances.

I see Mrs and Mr L's policy says it covers cancellation because of an epidemic, for example if the Foreign and Commonwealth Office advises against travel to a particular destination. Mrs and Mr L have acknowledged that this situation didn't apply. But they say they were advised by their GP to cancel the trip.

Mrs L's recently told us she spoke to her GP on 28 January. And he completed a medical form for Mapfre the same day. She's also told us the holiday cancellation request was made on 30 January. But Mrs and Mr L previously indicated the holiday was cancelled on 25 January. And I see the claim form's dated 26 January.

When there's conflicting information about dates, we generally prefer the evidence or account that was nearest to the event. We find this is usually more accurate. So I prefer the original information Mrs and Mr L gave us. And I don't think it's likely they spoke to their GP before the holiday was cancelled.

I have sympathy for Mrs and Mr L and I understand why they cancelled their holiday. But I don't think the circumstances are covered under their policy. So, it wouldn't be fair for me to require Mapfre to pay their claim. And it follows that I can't uphold their complaint.

my final decision

I don't uphold Mrs and Mr L's complaint against Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs and Mr L to accept or reject my decision before 5 December 2016.

Robert Collinson
ombudsman