

Supreme court's ruling on insurance claims related to covid-19

15.1.21

Last year many hospitality businesses found they were unable to claim on their business interruption insurance as their insurer claimed that the policy wording relating to business interruption from disease/public authority closures meant that the insurer was not liable.

This decision went to the High Court and then further, to the Supreme Court for a final ruling.

The decision was returned today in favour of claimants.

What this means, is that if you had business interruption insurance that was rejected on grounds of the wording, you may be able to resubmit that claim.

Sheldon Mills, Executive Director, Consumers and Competition at the FCA, commented:

'We will be working with insurers to ensure that they now move quickly to pay claims that the judgment says should be paid, making interim payments wherever possible. Insurers should also communicate directly and quickly with policyholders who have made claims affected by the judgment to explain next steps.'

We would recommend contacting your insurer to ascertain if today's ruling affects their previous dismissal of a submitted claim against business interruption insurance.

If you believe you should have been able to claim and are still being refused, you can contact the Financial Ombudsman [here](#)

As insurance companies have a responsibility to pay on valid claims, we would not recommend using a third party 'no win, no fee' company, which will often take a large part of any insurance payout that you are entitled to.

NOTE: Please be aware that claims may well require up to date accounts and recent stock valuations. When you speak to your insurer please do ask about these requirements and let us know how we can support you.

As ever, we will keep you up to date as more information becomes available and the situation develops. As we know more, we will be in touch.

For more information, you can go to the FCA (Financial Conduct Authority) press release on the matter [here](#)

Best regards,

The Team at Roslyns