

Please note that I have written my responses in blue below:

The **Quality Regulation Remedies** document poses some potential options that the CMA is considering:

Possible quality regulation remedies

Remedy selection

Do you agree with our proposal to focus quality regulation on the services provided by funeral directors or do you think we should also regulate the quality of services provided by crematoria operators? Please explain your answer.

*Do you agree with our proposal to focus quality regulation on back of house standards? **Yes** Please explain your answer.*

In my experience of working with funeral directors and observing the changing needs of bereaved families, it is clear that more transparency in this area can only be beneficial.

What are your views on the likely effectiveness and proportionality of the remedies outlined in this working paper in addressing our initial concerns?

They seem reasonable.

Are there any other potential remedies that we have not considered in this working paper that may address our initial concerns (as set out in our working paper on the quality of back of house funeral director services)?

***None that I can suggest.** Please explain what those remedies are and why they would be more effective than, or suitable in addition to, our proposed remedies.*

*Would a predominantly outcomes-based or a rules-based regulatory model (see paragraphs 39 to 40) be more appropriate for monitoring and upholding the back of house standards of funeral directors? **Rules based** Please explain your answer. **It will be easier to impose***

*Which of the services provided by funeral directors should be included under the scope of any quality regulatory regime, including statutory minimum standards, and why? **Not qualified to answer** We are particularly interested in your views on the regulatory standards set out in Table 1 and the following specific issues:*

*(a) Is refrigeration necessary for the appropriate care of the deceased? **I am not sufficiently knowledgeable to answer this, but 'cuddle cots' for babies, which do not need refrigeration, are a very beneficial innovation and really help bereaved parents.***

(b) Is the ratio of one refrigeration space for every 50 deceased persons taken into the care of the funeral director on average per year (as proposed in the draft Code of Practice for Funeral Directors in Scotland) an appropriate ratio? If not, what is? *Not qualified to answer*

(c) Is it appropriate to require that each deceased must be stored individually in separate compartments within the unit (as proposed in the draft Code of Practice for Funeral Directors in Scotland)?

(d) Should training and/or education be mandatory? *Yes* Please explain your answer. *As an Ofsted Outstanding graded organisation that offers National Qualifications, I am a strong believe that nationally accredited qualifications should be mandatory. In the event that training and/or education was made mandatory, please comment on:*

(i) Which members of staff require formal education and to what level (ie A Levels (or equivalent) or a degree or professional qualification) and to what extent can formal education be substituted by experience or other forms of training? *I would suggest that mandatory entry level courses apply to new starters and, as in other industries, higher qualifications are linked to higher positions. For example a minimum Level 3 Diploma for Funeral Directing.*

ii) Is it necessary to create a nationally accredited professional education programme or allow funeral directors to choose from the currently available qualifications? *I would suggest the existing qualifications are sufficient. However, they are NOT national qualifications on the Regulated Qualifications Framework – and they should be! This is the way to ensure the training providers are appropriately checked and audited.*

(iii) Should there be a number of specified hours of training, and any other form of CPD, that staff should be required to complete each year, or should staff or their employers self-assess their professional development needs? *There should be regulated hours of practical training, plus CPD hours to be completed. Self-assessment is going to be abused.*

(iv) Are there any other requirements that should be imposed on staff, owners and controllers of funeral directors to ensure their technical and professional competence (eg age, conduct or experience restrictions)? *Yes – background checks, references, etc.*

(e) Is there a need to establish an independent ADR scheme and/or complaints adjudicator in addition to the funeral directors' own complaint handling and customer redress? *Not qualified to answer* Who is best placed to monitor and enforce compliance with quality regulation? *Suggest existing trade associations with more powers*

(a) Is a single UK-wide body or a different body in each part of the UK more appropriate, and how should either arrangement take account of the emerging regulatory regime in Scotland? *Different body in each part of the UK Please explain your answer. There are regional variations in funeral culture and Scotland has now moved ahead.*

(b) What role, if any, should the existing trade associations (ie NAFD and SAIF) and other relevant organisations, such as the Good Funeral Guide, play in relation to the quality regulatory regime? *They should be represented on any new regulatory body. Please explain your answer.*

Should a licensing and inspection regime (see paragraphs 52 to 73) apply to individuals or businesses or both, and why? *Both* If both, what should be the respective obligations of individuals and businesses? *They should both have to follow certain obligations, tailored for each.*

What considerations should be taken into account when designing any quality regulatory regime to enable providers of all sizes to comply with that regime, and without deterring innovation, entry and expansion?

(a) What would be the likely costs of quality regulation to funeral directors? This includes the costs of implementing any changes necessary to comply with the regulation and the costs of demonstrating ongoing compliance with the regime. *Annual payments to cover costs plus initial payment (per branch or per employee)*

(b) What would be the likely costs of implementing and running the regime and how should this be funded? *Annual subscription*

Are there any elements of quality that require immediate attention prior to the establishment of a quality regulatory regime? *Funeral directors that are not reaching current trade organisation inspection standards should be immediately inspected and closed if appropriate. Funeral celebrants all have some funeral directors that they choose not to work with, for many reasons, mainly poor quality service. It would be very easy to identify these.*

Do you think we should tailor any aspects of quality regulation to reflect any differences in funeral service provision (and the current statutory regimes) across England, Wales, Northern Ireland and Scotland? *Yes*

What information on the quality of services provided by funeral directors should be collected and disseminated to customers to enable them to assess and compare funeral directors? *Feedback from previous clients, price comparisons,*

The **Information and Transparency Remedies** paper identifies seven possible remedies and poses questions on each of them:

Possible information and transparency remedies

Invitation to comment

Remedy 1 – Price transparency and comparability

There are several options (or combinations of options) that could achieve the objectives listed above that we think are worth exploring in more detail. We could, for example, require funeral directors and crematoria operators to:

Invitation to comment on Remedy 1

We invite views on the following questions:

- (a) How can we best facilitate shopping around and increase customer awareness of total funeral costs and local price differentials? **Publicity to the consumer. Make it clear they CAN shop around!***
- (b) How can we enable better comparison of funeral directors' prices and quality of services? **One standard template for everyone that HAS to be given to client.***
- (c) How can we better prepare the customer for the arrangement meeting and make them aware of all the options offered by the funeral director, including low-cost options? **Pack of information that must be given or sent in advance***
- (d) How can we give customers a clearer idea of the final cost (early on in the process of choosing a funeral director and before the arrangement meeting)? **Sheet made available showing final cost mandatory***
- (e) How can we make the platform most useful for customers how can we ensure that it is used by as many customers as possible? **Publicity***
- (f) Should funeral directors and crematoria operators be required to adopt a standardised methodology for presenting pricing and service data as an alternative to the platform? **Yes absolutely***
- (g) Should crematoria availability be incorporated into the platform? **Yes***
- (h) What will be the likely costs of this remedy? **Minimal***
- (i) Will this remedy give rise to any potential unintended consequences? **Not for the families***

Remedy 2 – Intermediaries to (more effectively) inform customers of their options and encourage shopping around

Invitation to comment on this remedy

We invite views on the following questions:

- (a) Are there intermediaries other than the CQC who provide, or are well placed to provide, information on funeral planning to those close to death or to the bereaved? *Not qualified to answer*
- (b) Are other ways in which funeral directors and crematoria operators can raise awareness of the platform other than providing information on their websites and promotional material and discussing the platform at the arrangement meeting? *Not qualified to answer*
- (c) Are there alternatives to raising awareness of the platform to general advertising and the use of intermediaries? *Not sure*
- (d) What are the likely costs of this remedy? *Minimal*
- (e) Will this remedy give rise to any potential unintended consequences? *Not for the families*

Remedy 3 – Funeral planning awareness before the point of need

Invitation to comment on this remedy

We invite views on the following questions:

- (a) Are there particular circumstances prior to the point of need at which consumers are likely to be receptive to the idea of preparing for their funeral or that of a loved one? *Via hospices, NHS maybe. McMillan nurses etc.*
- (b) What interventions (if any) are likely to encourage funeral planning and how might they be delivered? *Not qualified to answer*
- (c) Should this remedy target particular types of consumers? *No*
- (d) What are the likely costs of the remedy? *Not qualified to answer*
- (e) Will this remedy give rise to any potential unintended consequences? *Not qualified to answer*

Remedy 4 – Mandatory ‘reflection period’

Invitation to comment on this remedy

We invite views on the following questions:

- (a) Is a ‘reflection period’ an effective mechanism for encouraging customers to ensure that they choose a funeral director that best meets their needs? *Yes*
- (b) If so, when should this “reflection period take place?
 - (i) After getting information on funeral options from a funeral director on its premises and before signing the contract? *Yes*
 - (ii) after signing the contract in an arrangement meeting but having cancellation rights for a certain period of time afterwards? *Also Yes* or
 - (iii) another suitable time?

- (c) What are the likely costs of this remedy? *Not qualified to answer*
- (d) Will this remedy give rise to any potential unintended consequences? *Not qualified to answer*

Remedy 5 – Potential cap on the level of charges incurred for the collection, transportation and storage of the deceased

Invitation to comment on this remedy

We invite views on the following questions:

- (a) Will the imposition of a cap on the collection, transportation and storage of the deceased encourage more customers to switch funeral directors after having reflected on their original choice of funeral director? *I don't think so*
- (b) How should the cap be calculated? *Not qualified to answer*
- (i) Should the charge for collection and transport reflect the distance covered by the funeral director or represent an average cost? *Reflect distance covered*
- (ii) Should there a daily charge for the storage of the deceased or an average charge for storage, which reflects the average length of time that the deceased is typically stored? *Daily charge*
- (c) Are there other approaches to setting a potential cap on charges levied by funeral directors for the collection, transportation and storage of the deceased (other than cost-based approaches) that the CMA should consider? *Not qualified to answer*
- (d) What are the likely costs of this remedy? *Not qualified to answer*
- (e) Could this remedy give rise to any unintended consequences? *Not qualified to answer*

Remedy 6 – Managing conflicts of interest

Invitation to comment on this remedy

We invite views on the following questions:

- (a) Are there any other ways to eliminate conflicts of interest that may adversely impact the quality of service provided by funeral director to customers? *Require statements of potential conflict of interest - e.g. directors of a care home also needing to declare they are directors in a funeral directing business.*
- (b) Are there any other types of inducements or payments that should be captured by this remedy? *It should be mandatory that to require extra payments from suppliers – such as celebrants – is against regulations.*
- (c) What are the likely costs of this remedy? *Not qualified to answer*

Remedy 7 – Disclosure of business ownership and other commercial relationships

Invitation to comment on this remedy

We invite views on the following questions:

(a) What potential harm could the non-disclosure of business interests and other commercial relationship cause customers? *It misleads clients who believe they are dealing with a small family run business when they are not!*

(b) What business relationships and other commercial relationships should be disclosed to customers? *Business ownership and structures and directors' other interests.*

(c) How should such interests and relationship be disclosed to customers? *Online in a central listing*

(d) What are the likely costs of this remedy? *Not qualified to answer*

(e) Will this remedy give rise to any potential unintended consequences? *Not qualified to answer*