

Possible quality regulation remedies

The possible remedies outlined in this paper may be part of a broader package of remedies that we think may be reasonable and practicable to address any concerns that we find in the funerals sector. Such a package may include:

- (a) Information and transparency remedies to improve the preparedness of customers ahead of the point at which the funeral needs to be organised and to make it easier for customers to make the best choices for themselves;
- (b) market opening measures to lower barriers to entry and promote competition in the funerals sector; and
- (c) price control regulation on the provision of funeral director and crematoria services.

Our initial assessment of the quality of services provided by funeral directors to customers suggests that:

- (a) During the purchase process and delivery of the funeral, customers can observe a range of quality aspects but care of the deceased, which is of considerable importance to customers, is largely unobservable, and customers vary rarely compare quality across providers;
- (b) together, this is likely to weaken the incentive for funeral directors to offer high quality in relation to those services that customers cannot easily observe and assess (ie back of house standards);
- (c) whilst funeral directors may monitor and invest in the quality of some of their services, we have not seen strong evidence of back of house quality responding to customer preferences, or that good quality provision requires high costs and prices; and
- (d) in relation to back of house quality standards, the evidence available suggests that many funeral directors provide an acceptable standard. However, there is a widespread view in the industry that some funeral directors do not.

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.

I think it is important to look at both. While funeral directors are responsible for the person who has died up to the point of their service at the crematorium, I do think it is unacceptable that some crematoria “carry over” people and aren’t cremated on the day of their service.

I believe a lot of people expect the person to be cremated immediately or close to the time of their funeral and wouldn't expect them to be cremated 2-3 days later.

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

I do think it is important but I feel it also needs to be proportional depending on the company.

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As long as funeral directors have access to a fridge space or cold room that is set at a temperature of 4 degrees or lower and kept in a good condition, that should be the minimum.

Advertising yourself as a funeral director and having no cold room or fridge space is not acceptable. If you don't have access to or can prove you have access to someone else's cold room or fridge space, personally, I don't think makes you a funeral director.

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

I think a statutory licence scheme would really help along with a statutory minimum standard for funeral directors to abide by.

With licensing would come inspections and enforcement. Not only do I think this would improve the quality of the services funeral directors offered, but it would give the public confidence in the services they were buying.

However, I can't state enough that this should be independent of any funeral director association.

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)? Please explain what those remedies are and why they would be more effective than, or suitable in addition to, our proposed remedies.

I think the remedies proposed are fair and achievable. I don't have any additional suggestions to make.

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? Please explain your answer.

An outcomes-based regulatory model would be much more suited to funeral directors.

There are so many different funeral directors who all operate very differently to each other. By having an outcome model, it would give so much more flexibility to smaller funeral directors when it comes to assessing compliance in the immediacy of regulation.

It would also mean that smaller funeral directors would be able to have more time to either improve upon or even build new mortuary facilities over a period of time rather than have to find vast sums of money to have facilities comparable to larger companies which wouldn't be achievable.

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? 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?

It isn't necessary, it is absolutely vital. No one should be able to call themselves a funeral director without appropriate refrigeration facilities or access to them.

(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?

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On average I have two people with me at any one time and there have been occasions where my cold room is completely full.

If I were to undertake 49 funerals per year, this potential rule would mean I wouldn't have to have any refrigeration space at all which isn't acceptable.

Therefore we would suggest a ratio of 4 spaces per 50 funerals is appropriate.

(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)?

Yes. We don't have a traditional fridge but a cold room. We have "racking" and tray space for three people.

Therefore we would suggest the wording should be "each deceased person to be placed on one unoccupied tray," or similar.

(d) Should training and/or education be mandatory? Please explain your answer. In the event that training and/or education was made mandatory, please comment on:

No.

I am one funeral director who owns their own funeral directing company and have no formal qualifications.

I was trained "on the job" by a brilliant funeral director when I worked for the Co-op funeral directors.

Once I understood the basics of undertaking, I continued my own learning. This was of products available to clients, it was how to safely collect the person who has died, it was visiting the local hospital mortuary and asking lots of questions when I was collecting a person, reading books on different ways to care for people, watching a person being embalmed so I really understood the process etc.

When I worked as a carriage master, I was with a different funeral director every day and I saw their facilities, how they spoke to their staff, how they prepared for a funeral service, how they spoke to their clients. All of this was invaluable training that I wouldn't get in a classroom.

I am not a particularly academic person. I think I would struggle to pass any exam set in front of me.

However, I really, really know my stuff when it comes to being a funeral director. I know how to talk to people who are extremely distressed. I know how to make people feel brilliant spending as little money as possible. I know what people struggle with when making decisions.

I know that after an initial meeting with a client, most are going to forget the majority of what we have talked about so I immediately email them a summary of our meeting so they have something to refer to when they can't sleep.

Everything I do is completely second nature to me because I know people. I know how I can make everything just that little bit easier for them.

If you put all of that in an exam, I would probably fail it. It doesn't make me a bad funeral director who shouldn't be practising, it just means I don't work well under academic pressure.

Some people will pass an exam and they should never, ever be anywhere near a bereaved person.

Some wouldn't be able to pass an exam and they are the most brilliant funeral directors I know.

The other issue with mandatory training or qualifications is who is setting this training? From what I have seen from training models from an association is that it is out of date, homophobic and deeply offensive.

I really don't want to be qualified if that is the level of "training" they are offering.

- (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 don't think there should be any formal education level imposed. The highest education level that resulted in examination results were GCSEs.

I did try college for a GNVQ but formal education didn't work for me. In terms of my staff, none of them have anything higher than GCSEs but they are all absolutely amazing with our clients.

I would rather people with no formal qualifications but are compassionate and kind to the clients who employ us than people with lots of letters after their name but are deeply uncaring.

I can train anyone to fill out the forms required to make a funeral service take place. What I can't teach is how to be kind. How to care for people gently when someone they have loved has just died.

When we are collecting a person that has died from their house, I can't teach people to know when to give them time and just be gentle with those who are grieving.

Someone either has that or not and no amount of qualifications will tell me all of that. I will only know if someone has the qualities I am looking for when I am interviewing them and when I see them work with me.

- (ii) Is it necessary to create a nationally accredited professional education programme or allow funeral directors to choose from the currently available qualifications?

I don't think it is necessary but should it be something the CMA are considering, then a national education programme with no ties to any current providers would be preferable and not just take input from the people currently offering some form of training.

A qualification is only as good as the information it is giving to people and as I have already stated, from seeing the "training" being offered by one provider, I certainly can't endorse any current provider who thinks homophobic and outdated teaching is fine.

Any nationally accredited qualification should take in all aspects of funeral direction and incorporate the more modern way of doing things which is more holistic and should also incorporate self care for funeral workers.

- (ii) 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?

I don't think it is necessary. I consider it part of what I do to be up to date with the latest products and services. It is part of what we do to make sure I am up to date with any other legislation likely to impact my company such as GDPR for example.

However, if training will go hand in hand with licensing, then CPD would form part of the licensing renewal.

I do think we should be able to submit online any CPD we have done throughout the year rather than a set course.

- (iii) 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)?

I think anyone working at any level for a funeral director or owning a funeral directing company should be good people doing it for the right reasons.

The only restriction I could think of would be if someone was made bankrupt or shown to have recent criminal convictions, particularly for fraud should not be allowed to become a funeral director.

While people do make mistakes in their past, if convictions were recent or shown to have more than one over a long period of time, they really shouldn't be allowed around bereaved people.

- (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?

Yes. We think this is vital.

Who is best placed to monitor and enforce compliance with quality regulation?

Potentially you could consider the Funeral Ombudsman or Inspector of Funeral Directors.

- (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? Please explain your answer.

I think Wales, Scotland and Ireland could have their own equivalent but given people are holding funerals across borders, it is important that we are all held to the same standards as each other.

There could be a potential to share support.

(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? Please explain your answer.

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Should a licensing and inspection regime (see paragraphs 52 to 73) apply to individuals or businesses or both, and why? If both, what should be the respective obligations of individuals and businesses?

I think individual licensing would be better. Like any company, a funeral director may have an issue with one member of staff. This doesn't mean the company should lose its license.

Therefore, individual licenses to practice, much like a GP's GMB number, would be preferable.

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.

It would really depend on what changes you were looking to bring in were. If it was an individual license obtained in much the same way as a doorman licence through the SIA, then the cost of that would be negligible.

If it was to improve facilities or equipment, that could run into the thousands.

If there were a period of transition (12-24 months) whereby funeral directors could implement changes they need to, the cost could be spread and met.

In terms of ongoing compliance, the cost cannot be prohibitive to small companies undertaking say less than 100 funerals a year.

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

I pay £300 per year to the Good Funeral Guide to keep my accreditation. I think that sum is fair for a small company like mine.

Therefore, something in that region is achievable for small and large companies to pay.

Are there any elements of quality that require immediate attention prior to the establishment of a quality regulatory regime?

That anyone offering funeral services of any kind have access to dignified refrigeration services or have a formal agreement in place with a provider of refrigeration services.

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. There may be variations on how they undertake funeral services compared to companies in Britain.

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?

We agree with your assessment on Table 1 of the working paper.