

Remedy options for regulating the price of funeral director services at the point of need

Working paper can be found [here](#).

Table 1 (shown below) describes some possible elements which could be included in a benchmark package. We consider that these are the most commonly purchased funeral products and services.

Table 1 Suggested benchmark funeral package for consultation

Collection and transportation of the deceased (no time restrictions)

Storage of the deceased

Care of the deceased

Customer advice and support (may also be referred to as funeral director contact)

Legal and administrative services (including completing required documentation, liaison with third parties such as coroner)

Managing arrangements relating to burial, cremation, cemetery, church, ceremony, officiant

Date and time flexibility for funeral service

Arranging payment of third-party disbursements

Viewing of the deceased (suggested during the hours 8am – 6pm)

Dressing the deceased in their own clothes or gown

Provision of a 'standard' coffin

Provision of hearse and personnel

Choice of route for funeral profession (within defined radius)

One limousine

Embalming

We would welcome views on this proposed benchmark package, in particular:

(a) Are there any products or services which are not currently included in the suggested benchmark package (Table 1) which should be included? What is the evidence to support this view?

Funeral services don't have to be 'packaged' - flexibility is paramount.

People are often very different and depending on culture, religion and /or cost may require alternatives to the accepted package. If there is only one package this will restrict their personal choices.

(b) Are there any products or services which have been included in the suggested benchmark package (Table 1) which should not be included? What is the evidence to support this view?

Embalming is increasingly perceived as an intrusive and unnecessary practice by many now.

1. Not everyone wants embalming, some because of environmental concerns and some because it is an additional and often unnecessary cost.
2. People struggling financially do not require a hearse and a limousine as standard, many small funeral directors offer alternatives in their "package".

Access to a professional person who has considered the meaning of the role is important and can be very helpful.

(c) Do you consider that there is evidence to suggest a lower or declining demand for any products or services in the suggested benchmark package, in particular we seek views on the use of limousine/s and embalming?

In our experience people have only ever mentioned embalming to highlight that they definitely don't want it. There is a potential education issue here - do people really know what is happening?

The less things in a standardised package the better. Empowering people to take charge of jobs themselves is a good thing.

Most people we deal with these days do not want embalming, and there are many who do not want the conventional hearse, or the added limos. This may be a cultural or cost decision when many are trying to keep the costs to a minimum.

d) What is your view on including or excluding time-based restrictions on certain services, for example should collection, transportation of the deceased be available 24 hours a day, seven days a week or should viewing of the deceased at the place of storage/funeral director's premises be limited to "office hours" such as 8am to 6pm.

Case by case. If there are smaller funeral directors with fewer staff who might be sharing premises then they may not be able to offer round the clock collection and viewing. We would ensure that we could provide what a family needs, when they need it before taking on a job. It's about getting the right funeral professional for a particular family/situation.

There is an argument that viewing can be limited for healthy reasons.

It is difficult to dictate collection times. Often the place where the person died has to be considered, if at home they may need to be collected earlier than if in a hospital.

Also, should there be any restrictions on the route for the funeral procession?

This is a matter for discussion with the family and friends, or where necessary, possibly the police.

(e) Are there any funeral director providers for whom the suggested “standard” benchmark funeral package (Table 1) would not be a suitable product/service to offer, for example a funeral director offering highly specialised or unique services?

As above - please do not limit those who want to responsibly start up a business as a labour of love.

The benchmark funeral package would not be suitable for the small independent funeral directors who are offering bespoke packages that are guided by the clients’ cultural/religious or financial considerations. These need to be protected and they should be allowed to present a client focused alternative where required.

(f) We are also considering whether an alternative approach, in particular a cap on average revenue per funeral, could be effective in addressing any AECs and customer detriment, whilst also addressing unintended market distortions such as the risk of a focal point for prices. Do you think this could be a better approach for price regulation? We would welcome views regarding how might the Burial and Cremation (Scotland) Act 2016 interact with any price control regulation implemented by the CMA, or a new regulator and whether the price level of any price- controlled package should be set as one price across the UK.

We need something progressive here - cap on average funeral revenue could work. Must always allow an individual to spend on an enormous event with all bells and ashes into space if they want!

Prices should come down overall...

Perhaps there should be a maximum mark up percentage on products and third party services.

I don't think it is possible to say a funeral can only cost X There are those with money who may well wish to spend a lot of it on the funeral of a family member.

Where I do think there may be scope to cap mark up is on bought in products including crematorium charges In my view there should be no more than 50% mark up

I do feel the Funeral Directors Fee/Services charges should be clearly advertised.

We would welcome views on the proposals outlined in this working paper and any other comments on the proposed price control remedy. In particular we would welcome comments on the following questions:

Aims and approach of a price control remedy

(a) Do you agree that the introduction of a price control is likely to be an effective solution to remedy any AECs and any resultant, or expected, detrimental effects on customers should they be found in this market investigation?

Some of us new progressives are having a positive impact now - don't ruin it! :-)

Small Independent Funeral Directors generally have higher costs because of small orders etc., and therefore would be detrimentally affected if these controls produce what is supposed to be an even playing field.

(b) Do you agree that the introduction of a price control remedy to be a necessary and proportionate solution (paragraph 19) to remedy any AECs and any resultant, or expected, detrimental effects on customers should they be found in this market investigation?

I think it is time that costs were transparent at all times and up selling was banned, this would be in the best interest of the client.

Price control design considerations

(c) Do you agree that all funeral directors should be subject to a price control remedy (paragraph 38)?

Choice is good - perhaps a ceiling on percent profit would be useful, if all FDs have to charge the same, the large companies will clearly endeavour to put the smaller - more expensive to run - companies out of business. (The large companies can mark down the cost of bought in products as stated about and this will inevitably cause the smaller Funeral Directors financial hardship.)

(d) Do you think there is a requirement to limit the application of any price control regulation to exempt certain providers and if so, what should the criteria for exemption be (paragraph 39)?

Can be more expensive to order one coffin at a time... Big conglomerates get discounts.

Yes as stated before smaller funeral directors have higher costs per client and therefore should have a certain exemption.

(e) Do you agree or disagree with the suggestion that a maximum price could be applied to a benchmark package of products and services (paragraph 59)?

It would be impossible to do this without restricting choice.

(f) Do you agree with the suggested products and services within the proposed "standard" benchmark funeral package (paragraph 60)?

No. ... as shown in responses above

(g) Are there any funeral director providers for whom the suggested "standard" benchmark funeral package (paragraph 60(e)) would not be a suitable product/service to offer, for example a funeral director offering highly specialised or unique services?

The benchmark funeral package would not be suitable for the small independent funeral directors who are offering bespoke packages that are guided by the clients cultural/religious or financial considerations. These need to be protected and they should be allowed to present a client focused alternative where required.

(h) Do you consider that there is evidence to suggest a lower or declining demand for any products/services in the suggested benchmark package, in particular we seek views on the use of limousine/s and embalming (paragraph 47)?

Yes - see above.

Most people we deal with these days do not want embalming, and the added limos add to the cost where many are trying to keep the costs low.

(i) What is your view on including or excluding time-based restrictions on certain services, for example should collection, transportation of the deceased be available 24 hours a day, seven days a week or should viewing of the deceased at the place of storage/funeral director's premises be limited to "office hours" such as 8am to 6pm. Also, should there be any restrictions on the route for the funeral procession (paragraph 60(d))?

I wouldn't put time restrictions on these things - isn't it up to businesses what they offer and in turn up to (a more informed client) to choose.

All funeral directors don't have to offer the exact same services. We offer a unique services to unique clients.

Up to business to decide on these, there is an element of choice. Because of small funeral directors limitations any rules in this area may cause us problems.

(j) Do you consider that we should include a requirement for cost reflectivity for all disbursement costs within any price control regulation? If not, are there particular disbursement costs, for example cremation costs, which should be included (paragraph 57)?

Handling fees are sometimes important to consider. Win some, lose some approach. - though all this could be included in a professional fee.

It does depend on the amount of organisation that a small funeral director is involved in for any service.

(k) Alternatively, do you think that price control cap on average revenue per funeral, would be as effective in addressing any AECs and customer detriment, whilst also addressing unintended market distortions such as the risk of a focal point for prices (paragraph 60(f))?

(l) Do you think the same approach to the design of a price control is required across the UK, or whether there should be any variation at a regional or devolved nation level (paragraph 69(a))?

(m) Do you think that one maximum price should be set for a benchmark package across the whole of the UK? Alternatively, what are your views on setting different regional or devolved nation prices (paragraph 69(b))?

(n) What are your views on the interaction of the Burial and Cremation (Scotland) Act 2016 with the proposal of price regulation in the UK (paragraph 74)?

Implementation, monitoring and enforcement

(o) What is your assessment of whether the option of setting a maximum price for a benchmark package of products/services (paragraph 60) is capable of effective;(i) implementation?(ii) monitoring?(iii) enforcement?

(p) Do you think that compliance reporting requirements to the CMA or a regulator, should be the same for all funeral directors (paragraph94(b))?

(q) Do you have any views or suggestions on designing and implementing an effective communication strategy to ensure that consumers, funeral directors and relevant third parties understand their rights and responsibilities if price regulation is introduced in the funeral industry? In addition, how could we ensure that a benchmark package is sufficiently promoted and visible to consumers (paragraph 94(c))?

(r) What preparation would be required and how long do you think funeral directors might require in order to prepare for the implementation of any price control regulation?

Price list, basket online.

(s) What would be the likely costs of implementation, monitoring and enforcement for funeral directors?

Have to do general professional fees rise rather than bespoke pricing?

(t) Do you consider an initial duration of five to seven years is an appropriate period for the implementation of a price control remedy and achievement of its aims (paragraph 24)?

Wow that is long!

(u) Do you consider there to be other risks or options for mitigation which we have not considered (paragraphs 75-77)?Please provide any other comments or questions.

Do you think they might not change anything?

Remedy options for regulating the price of crematoria services

Working paper can be found [here](#).

We would welcome views on our current thinking that any price regulation in the form of a maximum price would apply to all crematoria operators in the same way. We welcome views on the approach to defining the scope of products and services included in the benchmark package, in particular:

a) Are there any products or services which are not currently included in the suggested benchmark package which should be included? What is the evidence to support this view?

Storage facility to support those who would prefer not to use a conventional FD...

b) Are there any products or services which have been included in the suggested benchmark package which should not be included? What is the evidence to support this view?

c) What is your view on time-based restrictions relating to the benchmark package, for example the length of the chapel slot?

How many cremations per day?? Environmental impact to be looked at.

We welcome views on how the maximum price could be determined and reviewed, in particular:

a) Do you consider that using pricing information from the sector is a sensible approach for designing a price cap for crematoria? Do you think a rate of return approach would be more appropriate in this sector?

b) Do you have any views on the design variants we have outlined above (for example, whether the price level of any price regulated package should be set as one price across the UK, whether we should make allowances for certain higher cost areas such as London or whether any cost base should be assessed on a crematoria by crematoria basis or otherwise)?

Price cap within a radius? We have noticed that certain crematoria outside of London have higher than London prices if they hold a monopoly locally.

c) Do you have any suggestions as to the criteria we should use to set the benchmark for the initial level of the price cap? d) Do you have any views on how the Burial and Cremation (Scotland) Act 2016 should interact with any price regulation implemented by the CMA, or a new regulator?

We are also interested in responses to the following questions relating to implementation, monitoring and enforcement of the price control:

- h) What is your assessment of whether the option of setting a maximum price for a benchmark package of products/services (paragraph 49) is capable of effective;
- implementation?
 - monitoring?
 - enforcement?
- i) Do you think that compliance reporting requirements to the CMA or a regulator, should be the same for all crematoria?
- j) Do you have any views or suggestions on designing and implementing an effective communication strategy to ensure that consumers, crematoria and relevant third parties understand their rights and responsibilities if price regulation is introduced? In addition, how could we ensure that a benchmark package is sufficiently promoted and visible to consumers (paragraph 105.b)?
- k) What preparation would be required and how long do you think crematoria might require to prepare for the implementation of any price control regulation?
- l) What would be the likely costs of implementation, monitoring and enforcement for crematoria?
- m) Do you consider an initial duration of 5 to 7 years is an appropriate period for the implementation of a price control remedy and achievement of its aims (paragraph 108)?
- n) Do you consider there to be other risks or options for mitigation which we have not considered (paragraphs 83-86)? Please provide any other comments or questions.

Local authority tendering remedy proposal

Working paper can be found [here](#).

We would welcome views on the proposals outlined in this working paper and any other comments on a proposed LA tendering remedy.

In particular, we would welcome comments on the following questions.

LA tendering as a remedy option

(a) To what extent do respondents think that wider introduction of tendered LA low-cost funeral schemes, intended as a response to problems identified on the demand side of the market would be:

- (a) effective;
- (b) proportionate.

Too cheap right now for appropriate level of care.

Please answer with respect to each of the implementation options available, that is:

- (i) a CMA Order applicable to all LAs;
- (ii) a CMA recommendation to LAs;
- (iii) a CMA recommendation to central government(s) that it/they should create a statutory responsibility on LAs.

(b) How should the specification of the funeral product to be provided under a LA scheme be determined?

- (i) Should the focus be on delivering a competitive negotiated price for a 'standard' funeral package, or addressing funeral poverty through ensuring availability of a low-cost respectful funeral option.
- (ii) How much scope, if any, should there be for variations between LAs?

(c) What might be potential unintended consequences of wider LA tendering for low cost residents' funerals?

(d) What are the current barriers to LAs establishing tendered low cost funeral schemes (eg available resources, other priorities, not regarded as a LA responsibility, etc)? How might they be overcome?

(e) What are the barriers to funeral director participation in LA tenders for resident schemes? How might they be overcome?

(f) What are the barriers to take-up of LA resident schemes by bereaved families? How might they be overcome? What types of bereaved people/families would be most likely to use such schemes?

If we set up a centre with proper information then people could be educated and supported through available schemes.

Education is the key, were there to be more places that educate the public on costs and choices as we do then people would be able to make more informed decisions.

(g) What impact have existing LA schemes had on wider pricing for funerals in their respective local areas?

(h) What should be the CMA's priorities for further analysis or evidence gathering on existing schemes?

LA tendering as basis for price benchmarks

(i) Do respondents think that the outcomes of current and future LA tendering exercises for provision of resident funeral schemes could provide useful data points for benchmarks to feed into price controls? Other comments

(j) Please provide any other relevant comments or observations on these proposals.

LA basic but friendly?

Excellent service cannot be expected for a complete budget price. You'd need a large operation for that to make sense.