

## The Individual Funeral Company

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Possible information and transparency remedies

### *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?

We think the only way this could be achieved is a completely independent price comparison site.

[✂]

Other comparison sites charge such a high monthly amount to be listed, it is prohibitive to small, independent funeral directors.

As the site could be broken down into region, the price differences in crematoria and cemeteries could be easily listed.

- (b) How can we enable better comparison of funeral directors' prices and quality of services?

Again, I feel there is only one way this can be achieved which is to break down each individual element of a funeral service to make prices easier to compare.

[✂]. There is no point paying for people to essentially do nothing.

This is why everything we do is individually priced so people can chose if it is something they need or want.

Another company will have their professional services (£1355), "Your appointed funeral director" (£570) for a funeral director on the day and four bearers and then "Our service to the person who has died" (£980) collection of the person who has died, use of the mortuary facilities, dressing them in their own clothes or a gown. This is a total of £2905.

If a client wants to carry a coffin themselves, there is no way for them to opt out of paying for bearers they aren't using going by the other company's figures and description.

Therefore, the only way to get an accurate cost is for everything to be separated out on a price comparison site and to make it known which things a company will let you change or you will pay for regardless of if you want them or not.

In terms of quality, that is going to be really difficult because everyone's opinions are different.

If it is quality of an office or building, that is easily solved with an inspection. If it is the quality of a service you have had from a company, reviews/letters/emails a company receives after a service should be taken into consideration as not every client feels able to leave a review on Google for example.

Any kind of "star system" in terms of quality I think would be difficult. This is simply because larger companies are going to have much more resources to throw at mortuary facilities but their customer care may be terrible.

A smaller company with a perfectly respectable cold room may not have the best facilities comparable to a large company, but the care and time they take with their clients and the person that died is outstanding.

Therefore any type of star system or rating must be fair.

- (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?

Again, if you had some kind of comparison site, there is some basic information you could put on there.

For example, "When meeting a funeral director or arranging an appointment to see them, feel under no obligation to stay with them."

"Don't sign any paperwork if you want to go away and have a think about things before committing yourself."

"If you are looking for low cost options, look at their website and see if they are easily found and advertised."

- (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)?

This is going to come down to a good comparison site. The final cost is only as reliable as the information you are given in order for someone to compare costs.

However, by breaking everything down into individual elements, it should be possible to get a really accurate idea of costs before a client ever needs to see a funeral director.

**(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?**

This tool would have to be highly publicised as a government platform with reliable price information included.

It could be rolled out to care homes, hospices, registrars, Coroner's offices, GP surgeries and via the DWP website.

**(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?**

Absolutely! Without it, you never know what you are paying for what service and it is impossible to get a like for like quotation.

It is also impossible to remove elements if a client doesn't want them.

**(g) Should crematoria availability be incorporated into the platform?**

Yes. Over busier periods of the year, we have clients asking when the crematorium is available. Our local crematorium has two chapels and there is usually something available every day.

Over the Christmas and New Year period, one of the first things new clients asked was "what is the wait time at the crematorium?"

When we have replied that there isn't one, they told us another funeral director has said there was a month wait.

This simply wasn't true at all and the funeral director was blaming other services for the delay.

By having crematoria availability visible, this would greatly help clients chose a funeral director.

**(h) What will be the likely costs of this remedy?**

I really don't know how much this would cost to develop but given there are already numerous comparison sites out there, I wouldn't have thought the website would take much in terms of the cost.

I would say the cost would come in by imputing the costs but also fact checking to make sure they were true.

**(i) Will this remedy give rise to any potential unintended consequences?**

As we have already seen with other comparison sites, it is possible that funeral directors give a much lower cost in order to look attractive to potential clients.

It is only once the client has visited a funeral director, that the cost increases dramatically.

One way to diminish this problem is that if funeral directors don't give their latest, up to date prices, then they must honour the prices they have stated on the comparison site.

There is also the problem of clients wanting the best cost but then keep adding services as the meeting progresses. There is no choice but to add the costs of these additional items onto the final invoice and therefore the cost will be higher than the comparison site quotation.

It must be said on the site that the quote is only as good as the information provided in order to generate an accurate quotation.

There is also the potential for funeral directors to drop their prices or "throw something in" in order to capture clients.

While larger companies are able to do this (it isn't unheard of to lower the price if they know a client has already received a quote from another company or to add a limousine in order to keep someone with them,) smaller companies won't be able to compete on certain prices in certain locations.

This is particularly true in expensive cities. Should this practice happen, it could force smaller companies out of business or be forced to sell to larger companies.

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

The CMA could develop guidance or ask a third party, such as the Care Quality Commission (CQC), to develop guidance to support intermediaries in their discussions with the bereaved about funeral planning. These discussions could take place when an individual enters a care home or hospice, or when death is anticipated or has just occurred. The guidance could include the following information:

(a) Explaining to the bereaved that they can change funeral director after the deceased has been collected from the place of death and that they are not obliged to remain with the funeral director that collected the deceased.

(b) A checklist of questions that customers may wish to ask the funeral director.

(c) Funeral directors and crematoria in the local area (and possibly their prices).

(d) Information on the platform.

*Invitation to comment on this remedy*

66. 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?**

I think the CQC would be best placed to provide this information to local authorities, crematoria, care homes, hospices, GP's and Coroners.

**(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?**

I think it would be really difficult for funeral directors to promote other than on their websites, promotional material and at meetings.

We do use social media an awful lot to promote our company (Facebook, Twitter and Instagram) so we would happily promote this service on our company pages too.

**(c) Are there alternatives to raising awareness of the platform to general advertising and the use of intermediaries?**

I think this initiative has to have the local authority, GP's, Coroner's office, care homes and hospices on board. This is so the information is getting to people perhaps before they need it so they can do research in advance of someone's death but also so they have the information to hand if the death was unexpected.

**(d) What are the likely costs of this remedy?**

Again, I'm not sure what the cost of this will be.

**(e) Will this remedy give rise to any potential unintended consequences?**

It has the potential to be tainted by personal recommendation. For example, some funeral directors buy benches for hospices or work at a lunch club in a local Church one day a week.

If someone was to ask a hospice or Vicar which funeral director they should use, these funeral directors would be at the front of their minds.

As GP's, Coroner's, hospice staff and care home staff are in positions of trust, their recommendation could be tainted if a funeral director has made a time or financial contribution to them.

### ***Remedy 3 – Funeral planning awareness before the point of need***

The CMA could recommend to Government to invest in and run media campaigns and produce literature about funeral planning, as well as raising awareness of the platform described under Remedy 1.

The CMA could also recommend that local authorities, specifically those individuals or teams responsible for bereavement services, raise awareness about funeral planning on their website and through wider outreach work in their local areas.

The CMA could also work with the Citizens' Advice Bureau and other similar organisations to develop information and guidance on funeral planning.

#### *Invitation to comment on this remedy*

77. 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?

We regularly help clients who have been diagnosed with a terminal illness and want to prepare for their own death and subsequent funeral.

In fact, right now, we are helping three clients do just that. Some people want to feel in control and therefore, want to plan for their own funeral.

There are also clients we help where one or both of their parents are elderly and about to move into a care home or assisted living space.

As funeral plans (pre-payment plans) aren't subject to inheritance tax, some people take out a pre-payment plan before going into a care home. This is particularly true if the only means of paying for someone's care is to pay all of it themselves or sell a property to do so.

Some people often think of their own arrangements after the death of a partner or friend.

This could lead them to research funeral directors and make plans for their own arrangements. Particularly if they have gone to a funeral that they liked.

If someone is going for a major operation, they sometimes think about funeral arrangements in case they don't come through it.

(b) What interventions (if any) are likely to encourage funeral planning and how might they be delivered?

I think a campaign by the government would really kick-start people's thinking.

It is unfortunate that not many people want to think about their funeral arrangements or if they do, their family doesn't want to talk it through with them.

Any advertising shouldn't be about taking out a pre-payment plan. It should be to consider leaving instructions behind for their families/friends in order for them to be able to make arrangements when the time comes.

So many clients really have no idea what to do in terms of funeral arrangements because their person didn't leave instructions. They haven't even said if they wanted to be cremated or buried.

Watching clients agonise over making any decision at all is really difficult and there isn't anything I can really advise to make it easier for them.

There is also the tendency to spend vast sums of money giving someone absolutely everything. This is because, with no instruction, they are desperately worried about getting it wrong.

With some simple instructions, they wouldn't have to worry about making decisions and they would almost be "allowed" to spend as little as possible per that person's instructions.

**(c) Should this remedy target particular types of consumers?**

I think it should target everyone. People are living longer but more and more of our clients are of people under the age of 50 years old.

Their children are unlikely to have arranged a funeral before and the requirements of someone that young are much different from someone in their 90's.

A campaign that includes everyone would be the best way to go.

**(d) What are the likely costs of the remedy?**

I don't know but I would suggest that a national campaign would be for government to meet.

**(e) Will this remedy give rise to any potential unintended consequences?**

This could lead to the rise of people taking out pre-payment plans that aren't fit for purpose.

There are so many on the market that aren't worth the paper they are printed on that any such campaign should come after an in depth review of pre-payment plans have been conducted by the government.

#### ***Remedy 4 – Mandatory ‘reflection period’***

We could require funeral directors to allow customers a ‘reflection period’, which could take place either before or after the customer signs the contract with their chosen funeral director. We could also require funeral directors to allow customers to choose a different provider or different services from the same provider at minimal or no additional cost.

Customers do not currently have the same statutory cancellation rights for an ‘on-premises contract’, such as when a contract is concluded in the funeral directors’ office.

The potential ‘reflection’ period remedy could take one of the following forms:

- (a) impose a mandatory pause or ‘reflection’ period between an arrangement meeting on-premises and before signing any contract; or
- (b) have cancellation rights for on-premise contracts in line with the cancellation rights for off-premise and distance contracts described above.

#### ***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?

While I think it is seriously important that everyone is provided with ample time to reflect on the choices they have made and the company they have chosen to instruct, it would be quite difficult in practice.

Again, a lot of our clients have already done their research and know they will be using our services.

A lot of clients want to feel that they have “got on with it” and arrangements are in hand with a funeral director.

A vast majority of my clients want their person removed from a hospital as quickly as possible and certainly this is more pronounced over the Christmas and New Year period along with before bank holiday weekends.

If this “reflection period” came into being, our services to our client would become delayed.

There is also the fact that if we collect someone from a care home or their own home, we would have already called the local GP practice to arrange cremation papers (where appropriate) which means the work we have already done has started to mount up.



There is also the point that if someone died at midnight on Friday night and their family/friends come to see me on Monday morning; the person who has died has already been with me for at least 48 hours.

To then have contact with the family/friends, on Monday or Tuesday and then add the "reflection period" of 24 hours, potentially, I wouldn't be allowed to do a thing until at least Wednesday or at worst Thursday.

That is potentially a week that I wouldn't be allowed to start making funeral arrangements in case the client wanted to go to another funeral director.

In theory, a "reflection period" is an extremely good idea. Especially when certain funeral directors have unofficial "deals" with local care homes to collect people once they have died.

If the family/friends know they don't have to stay with that funeral director and they know it will be easy to move to someone that suits them better, that can only be a great thing for those making arrangements.

**(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?**

Any reflection period would need to be before signing a contract. Once our arrangement form has been signed, that is our contract to say the client is happy with the arrangements we have discussed and they are instructing my company.

Once the arrangement form has been signed, it is at that point we start putting funeral arrangements in place and therefore charges start to be payable.

Until our arrangement form has been signed, we undertake no work on behalf of the client in case they decide to use another company. This limits the amount we would charge the client which is better for them.

**(ii) After signing the contract in an arrangement meeting but having cancellation rights for a certain period of time afterwards?**

I think this would be extremely difficult in practice. This is purely because funeral arrangements would be delayed in being made until this "reflection period" has expired.

We would then be required to check in with the client again (or they would need to confirm with us) that they still want to use our services before commencing working for them and putting arrangements into place.

This would definitely cause a delay in funeral services being made.

For example, a client comes to see us in our office and we record everything they would like for us to do.

Most people want to know a day and time of the funeral as soon as possible in order to let friends and family know.

They want us to book the crematorium there and then as part of that meeting. As far as I am concerned, I am now working on behalf of that client.

They have a period of reflection and have decided to use another funeral director. That is absolutely no problem.

However, now I have collected the person who has died, spent a minimum of an hour and a half with a client recording what funeral arrangements they would like and I have booked the crematorium.

That is an awful lot of work to undertake for us not to be paid for it. [✂].

(iii) Another suitable time?

(b) What are the likely costs of this remedy?

There are two costs. Time and money.

Time – the funeral wouldn't be arranged in a timely manner and would cause a delay of a minimum of 24 hours and possibly more depending on what the "reflection period" is decided upon.

The second is money. A funeral director would charge for collecting a person and use of their mortuary as a minimum cost if someone died at home or in a care home.

We charge £295 to collect someone from anywhere in Oxford and keeping with us for up to 14 days.

(d) Will this remedy give rise to any potential unintended consequences?

If they have booked the crematorium/cemetery during the "reflection period" at the request of the client, that is time that is being used that the client would be required to pay for if they transfer to a different funeral director.

Funeral directors would be required to have an hourly rate and would need to keep accurate notes of all the time they have had with one client up to the point of them wanting to transfer.

This isn't a major issue but it does leave us exposed to undertaking a lot of work without payment potentially.

I really think that some space to reflect is important and we recommend this to clients of ours as a matter of course.

Any reflection period would absolutely have to be before a client physically met with a funeral director.

That way, a funeral director would only be charging a fee for collecting the person who has died if the client decided to use another company.

I think that would be the fairest way for the funeral director but also the contract is only formed once our paperwork has been signed anyway.

This period of reflection must be before physically signing paperwork as once it has been signed, that is our authority to work on behalf of a client.

***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*

To reduce this potential barrier to switching, we could set a cap on the level of charges that a funeral director can levy for the collection, transportation and storage of the deceased to recover the costs that the funeral director has incurred prior to the customer switching to an alternative funeral director (or the costs incurred if the customer chooses not to switch). We envisage that such a cap could apply to all funeral directors (and not a subset of funeral directors) to ensure that this possible barrier to switching is addressed across the whole sector.

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?

Absolutely. I think particularly when people have died in a care home or in their own home; this would encourage families/friends to switch if they didn't want to use that initial funeral director.

Again, at busy times of year when larger companies are advising people of "wait times" for a funeral of 3+ weeks or are advising people they aren't able to see their person due to being too busy, having the option to switch easily would be really helpful and especially when costs are capped.

- (b) How should the cap be calculated?

(i) Should the charge for collection and transport reflect the distance covered by the funeral director or represent an average cost?

We charge a cost of £295 to collect a person from anywhere within Oxfordshire and up to 14 days that a person is with us.

This is because our professional services fee ensures we are working with that client.

I don't think this would be possible under a capped charge. This is because we wouldn't know how long a person would be with us for until they made a decision on which funeral director to use.

The only way it would be possible is to impose a time limit on a client to either decide upon a funeral director and sign their paperwork or to instruct a new funeral director within 48 hours of a company collecting the person.

To use an average cost wouldn't work. This is because some companies in different parts of the country could potentially increase their charges while other companies would be forced to reduce theirs leading to potential hardship.

(ii) Should there be 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?

I think there would have to be a daily charge to represent the length of time someone was with them.

This would mean the collection of someone would be lower (potentially around £200) which is manageable for most people.

[X]. This is because we can arrange the majority of funeral services within 14 days but also any time over that period would be the client's choice.

Within our company we have space to keep four people with us at any one time.

To have people with us for longer than that without knowing their family/friends will become our client would cause us issues.

Again, a daily fee to keep someone in our cold room would make it fairer on people in terms of charges. If there was a set fee, they would only be charged for the time someone was with us rather than paying for time they aren't.

**(b) 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?**

I think a capped collection charge and a daily storage charge is the fairest way of charging clients for services while they decide which funeral director to use in terms of transparent and fair pricing.

In order to make sure funeral directors are treated fairly, particularly smaller companies, a time limit on decision making should be considered too. I think 48 hours is fair to either switch funeral directors or confirm arrangements with the initial funeral director.

(c) What are the likely costs of this remedy?

The costs to the funeral director potentially could be considerable without a time limit.

[✂]

We also have to bear in mind the people where funeral poverty is a real issue. Again, we don't have the means to keep people with us for a long period of time but some people can't afford to pay for a funeral.

With people applying to the DWP for financial assistance, the DWP take roughly 6 weeks to make any kind of payment and only **after** a funeral has taken place.

It is entirely possible that a person could be in a funeral directors mortuary for 8 weeks or more while families decide on how they can pay for a service.

If this is the case and a daily charge was imposed while they obtained quotes from different funeral directors, they could end up with a huge mortuary bill and they are the people who can least afford to pay it.

It should also be pointed out that the second funeral director would make a charge to collect a person from the first funeral director at a cost so clients would end up paying the same fee twice.

(e) Could this remedy give rise to any unintended consequences?

It could be that funeral directors in other parts of the country increase their prices to the maximum within the "cap" while other funeral directors in more expensive parts of the country have to reduce theirs.

Again, this could lead to some financial hardship for smaller funeral directors but with a time limit on decision making (48 hours maximum with funeral directors collecting people within 24 hours after the initial 48 hour collection time) then it shouldn't be an issue.

Again, I do worry about smaller funeral companies not having endless space to keep people without a time limit for families/friends to decide which funeral director to use.

If this was managed by a time limit, I think this could be extremely helpful to families/friends in being able to switch funeral directors a lot more easily than they are now and particularly when they know the costs involved.

### ***Remedy 6 – Managing conflicts of interest***

We could impose prohibition of certain forms of payment, such as:

(a) partnership agreements with hospices or care homes which involve direct referral payments when the hospice or care home facilitates an introduction to a funeral director business; and

(b) commissions to employees for upselling funeral packages

#### *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?

Partnerships agreements with hospices and care homes should be prohibited and especially any payments that made be made by funeral directors for recommendations.

While care homes are changing the way they work, it should be mandatory for a family member or friend to choose a funeral director when someone is moved into a care home.

If they change their mind about who to use, they should inform the care home so the correct company is called.

It is also important that funeral directors collecting a person on behalf of the Coroner are also not allowed to leave their contact information. I have been made aware of a funeral director who, when collecting a person on behalf of the Coroner, is handing family members a business card and saying "Call this number and we will talk you through everything."

That family member then is under the impression that the person is with that funeral director rather than an NHS mortuary under the care of the Coroner. This has resulted in families arranging a funeral with the funeral director that has collected someone and is limiting the family's choice as to which company to use.

(b) Are there any other types of inducements or payments that should be captured by this remedy?

I think it is important that bereavement offices in hospitals and care homes shouldn't be able to accept any kind of gratuity. This isn't necessarily in

money form but of that in food, alcohol etc around Christmas time or “donations” to their staff party funds.

It isn't acceptable for funeral directors to donate benches or bird baths to any hospice or care home.

If my company wants to make a donation to a specific charity because they have a new initiative for example, we will make an anonymous donation through Just Giving so we can't be accused of anything inappropriate.

(c) What are the likely costs of this remedy?

I can't see that there would be any costs involved other than time to send correspondence to the necessary companies.

(d) Will this remedy give rise to any potential unintended consequences?

I don't think there would be any unintended consequences. As I said, if funeral directors wanted to contribute something for a specific cause or piece of equipment for example, there are plenty of ways to do so anonymously.

### ***Remedy 7 – Disclosure of business ownership and other commercial relationships***

The CMA could require funeral directors and crematoria operators to disclose their business ownership structure. This remedy could apply to branches that form part of a larger funeral director business, so that customers are aware of whether the funeral director is part of a larger business or is, instead, an independent business. This information could be disclosed on premises and websites and any other promotional material.

The CMA could also require funeral directors and crematoria to inform customers of any changes in ownership, such as when an independent funeral director is acquired by a larger multi-site operator, so that customers are aware of the current ownership structure.

The CMA could also require funeral directors to disclose when they recommend a crematorium that is owned by the same company as the funeral director business, in order to address the presence of vertical integration in the funerals sector.

#### ***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?

We see it time and time again where clients come to us and the first thing they ask us is if we are “independent.”

Clients are becoming more aware that the funeral director they have always used are now part of a big corporation and that isn't the kind of service they want or require.

[✂]

[✂]

If people are looking online for independent advice or quotations, I believe they should know exactly who is behind what company.

**(b) What business relationships and other commercial relationships should be disclosed to customers?**

I think it is vital that any online comparison site, if owned or has sold shares to funeral directors, should be disclosed. Funeral directors, stonemasons, carriage masters and crematoria should all have to disclose the parent company or interested party.

**(c) How should such interests and relationship be disclosed to customers?**

If a comparison site, it should be disclosed on the home page of the website who the shareholders are and name them.

If it is a crematoria, this should be properly disclosed on the home page of the website and signage.

**(d) What are the likely costs of this remedy?**

The cost is negligible and would take minutes to put this information on their websites.

**(e) Will this remedy give rise to any potential unintended consequences?**

I don't think so. People will either continue to use the services or they won't.