



FUNERALS MARKET INVESTIGATION

The Funerals Market Investigation Order 2021

Consultation questions – response from the Good Funeral Guide CIC

16th May 2021

The Good Funeral Guide welcomes the final Draft of the Funeral Markets Investigation Order 2021 as part of the package of measures to remedy, mitigate or prevent identified adverse effects on competition and any resulting customer detriment, as identified in the Final Report.

The Good Funeral Guide would like to offer our gratitude and congratulations to the Inquiry Group and the entire team at the Competition and Markets Authority for their in-depth work on this topic since embarking on the Market Study almost three years ago, on June 1st 2018.

We have been heartened by the overall approach taken by the CMA, which has held at its centre the unique situation of the customer who is dealing with the impact of bereavement, and we applaud the reasonable and measured requirements within the Order. We believe that as a consequence of the Order and its implementation, bereaved people will be better served by the UK funeral market in the future.

We are particularly appreciative that points we raised about elements that should be included in the Standardised Price List in [our response to the second set of working papers](#) published on 04.08.20 appear to have been accepted by the CMA as they are now reflected in Part A to Schedule 1 of the Draft Order.

We are, however, deeply disappointed by the decision of the UK government to decline to accept the recommendation made by the CMA to establish in England, Northern Ireland and Wales an inspection and registration regime to monitor the quality of funeral director services, as a first step in the establishment of a broader regulatory regime for funeral services in these nations.

We feel that this decision by the UK government is detrimental to the rights and needs of bereaved people and we sincerely hope that the UK government will reconsider this decision in due course.

In response to the invitation to comment on the Draft Order and Explanatory Note, we are pleased to offer our thoughts below.

The directors of the Good Funeral Guide CIC



1. Is the Standardised Price List (see Part A to Schedule 1 of the draft Order) appropriately presented?

In the section entitled 'ATTENDED FUNERAL', we would suggest adding the word 'TOTAL' after the words 'ATTENDED FUNERAL' and before the bracketed (funeral director's charges only) to clarify that the figure in this section represents the sum of the figures below.

In the sub section of the same section, we suggest an addition to the line beginning 'Collecting and transporting the deceased person from the place of death'. We suggest adding at the end '*during normal working hours [insert days and times]*'.

In the section entitled 'FEES YOU MUST PAY' we suggest changing the text 'you will also need to buy the plot' to read '*you will also need to buy the Rights to Burial*' (no cemetery or burial ground allows clients to purchase the land where the grave is located, rather they sell rights to be buried in that land).

In the section entitled 'ADDITIONAL FUNERAL DIRECTOR PRODUCTS AND SERVICES', on the line 'Out-of-hours' we suggest clarifying whether this figure is additional to - or replaces completely - the figure shown in the subsection 'Collecting and transporting the deceased person from the place of death'. This could be done by changing the text in this section to read; '*Extra additional fee for collection of the deceased's body outside of normal working hours*'.

In the same section, on the line 'Additional transfers of the deceased's body (e.g. to their home) we would suggest adding after the word 'home', the words '*or to a place of worship*'.

In the same section, we would suggest removing the line 'Funeral officiant (minister, celebrant etc) and instead creating a new section completely, perhaps entitled 'FUNERAL OFFICIANT'. An explanatory note should introduce this section, such as '*You may wish to engage an officiant (minister or celebrant) to lead the funeral ceremony. The funeral director can do this on your behalf, or you can find and employ an officiant yourself. If the funeral director engages an officiant on your behalf, their fees will be treated as a third party 'disbursement' and will be passed on to you as part of the final invoice.*'

We suggest a line stating '*In this local area, the typical cost of a minister or celebrant is:*' with a '££££ to ££££' option.

In the same section, at the end of the information, we suggest adding to the end of the statement 'The funeral director can give you a full list of what they can supply' a comma and the words '*for example, alternative coffin types and transport options.*'

In the footer notes, note 1, referencing the burial fee, states 'This fee (which is sometimes called the interment fee or internment fee) is the charge made for digging a new grave or for reopening and closing an existing grave.' We would suggest removing reference to the second, grammatically incorrect 'internment fee'. Even if some funeral directors wrongly use this word in their literature, we feel it should not be acknowledged in the CMA Standardised Price List.

NB In the Explanatory Notes, at note 116 'Burial Fee' this incorrect spelling of interment is repeated twice and at notes 125, 126, 127, 128 and 129 this incorrect use of 'internment' continues. We recommend correcting this by replacing 'internment' with 'interment' in all instances.

In the footer notes, note 2 references 'In England, Wales and Northern Ireland, you may also need to pay a Medical Referee (doctor's) Fee. We are somewhat confused by this, as the Medical Referee fee is

generally included within the 'cremation fee' charged by the crematorium. Should this note instead read 'In England, Wales and Northern Ireland, you may also need to pay a fee for completion of Medical Certificate(s)'? (Referencing Form Cremation 4 [Medical Certificate], which continues to be required under the provisions of the Coronavirus Act 2020, and Form Cremation 5 [Confirmatory Medical Certificate], the requirement for which has been suspended under the provisions of the Coronavirus Act 2020)

2. Does the Standardised Price List appropriately describe the items that are included under the Attended Funeral?

Broadly yes. See comment above.

3. Do you agree with the items that are included under the Attended Funeral and Unattended Funeral (see Part B and Part C to Schedule 1 of the draft Order)?

Yes

4. Funeral Directors must maintain a register of any material charitable donations, contributions or payment of gratuities. Material has been defined as any individual or cumulative donation, contribution or payment within any 12-month period of £250 or more (see Article 7 of the draft Order and paragraph 71 of the draft Explanatory Note). Is £250 an appropriate de minimis figure?

Yes, we believe this is an appropriate figure.

5. Crematorium Operators must provide price information to local funeral directors and customers on a Crematorium Standard Fee Attended Service; a Crematorium Unattended Service if offered by the Crematorium Operator; and a Crematorium Reduced Fee Attended Service if offered by the Crematorium Operator (see Article 8(5) of the draft Order). Do these names appropriately identify the three services?

Yes, we believe these names appropriately identify the three services.

6. Articles 9 and 10 of the Order require Funeral Directors with five or more branches and ten or more branches to provide certain information to the CMA. Schedule B and Schedule C to the Explanatory Note list funeral directors with five or more branches and ten or more branches respectively. Please inform us if you consider your own or another Funeral Director business is erroneously included or excluded from the lists in these schedules.

Of our Recommended funeral directors, Leverton & Sons operate six branches, Holmes & Family Funeral Directors operates five branches – neither is included in the list.

7. If a party is aware that it is not compliant with any part of the Order, it must report this non-compliance to the CMA within 14 days of becoming aware that it is not compliant (see Article 11(6) of the draft Order). Is 14 days sufficient time for parties to report non-compliance to the CMA? If not, please give reasons.

Yes, we believe that 14 days is sufficient time for parties to report non-compliance to the CMA

8. The substantive requirements of the Order will come into force three months after the Order is made. Does this allow sufficient time for parties to make the necessary changes to their systems and processes so that they are in a position to comply with the requirements of the Order? If not, please give reasons.

Yes, we believe that three months is sufficient time for parties to make any necessary changes in order to be able to comply with the requirements of the Order.