

The Funerals Market Investigation Order 2021 Consultation questions

We are seeking written representations on the whole of the Draft Order and draft Explanatory Note.

However, to assist interested persons in making written representations, we have set out below some questions on areas we are particularly interested in obtaining views.

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

Our view is that whilst we may not agree entirely with the format of the proposed Standardised Price List (SPL), it does give those very few clients who do wish to compare prices, a tool to compare quotes in a like for like manner.

We would seek clarification and guidance from the CMA on what can be done by the Funeral Service Provider to make the SPL more visually appealing, can different colours or fonts be used? Can the SPL be branded? Does the SPL have to retain the boxed section approach?

We do not agree on the requirements to display the SPL. Can we as funeral directors decide if we display the SPL in either the window externally or internally within the funeral home, or must they be displayed in both?

We have actively promoted our pricing online for many years and have no concerns about transparency of pricing, however, we do not believe that dictating the size of posters for the SPL to be printed at A2 size, which is 594mm x 420mm, will look in keeping with the type of service we are trying to provide to our client families. If we were to use the proposed SPL format internally in A2 size along with potentially one or two A2 SPL's for the locally available crematoriums, in our locations it would suddenly look very cheap and nasty with walls dominated by large price lists, which is not the type of experience we wish to give to our client families. I would ask that you carefully consider this requirement before proceeding.

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

The SPL covers most items that we would cover currently in our Funeral Price List, however, there seems to be some significant omissions. There is no element in the SPL that covers the ceremonial element of having a funeral director conduct the funeral – is this missing or is it seen by the CMA as an unnecessary element of an Attended Funeral?

There does not seem to be any components on the SPL that would cover the proportionate cost of some of our overheads such our premises, personnel costs, occupancy costs, or advertising etc. These and other items would normally be factored into most funeral directors Professional Services fee, an important item that also seems to be missing from the proposed SPL.

We also note that pall bearers being placed within the 'Additional Funeral Director Products and Services' list. Our experience is that very few families provide their own bearers and even those that do still require the assistance and guidance of our trained colleagues to assist them with a task they have probably rarely, if ever, carried out previously. Therefore, to place pall bearers as an additional option seems to demonstrate a lack of understanding of what is required on the day of the funeral.

We ask will it be possible to still operate and use our own Funeral Price List in addition to the SPL for Attended and Unattended funerals?

**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)?**

No, as outlined above in the response to question 2 we feel the SPL is missing many of the elements that Funeral Directors would normally include with a Professional Services fee.

The proposed SPL wants funeral directors to attribute costs for providing certain service elements, but where do we include the ongoing costs of running our business? For instance, the provision of running a 24 hour service, 365 days a year, where actual people who need to be paid are available to assist client families – where does that sit within the SPL? For us, any activities outside normal office hours, such as a transfer of deceased from their place of death to the funeral home, or a chapel visit, or a home visit involves additional personnel costs, and I believe this to be the same for most funeral directors.

Where do we allocate the cost of professional development and training for our colleagues? Under what element of the SPL is IT, software, digital infrastructure and mobile technology covered off and paid for by the client?

The proposed SPL wording in relation to the Unattended Funeral states that this funeral is for those who choose to have a ceremony, event or service at a later date – but this may not be the case, many of the clients that we serve with an Unattended funeral do not hold a service at a later date, therefore is this not misleading?

There is no mention within the wording about the timescales involved with the provision of an Unattended Funeral, we currently clearly set out what we provide, the timescales in which we will provide them and what clients can expect. The proposed wording seems very inadequate to us.

**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?**

We have no concerns with this requirement.

**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

**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.**

N/A

- 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

- 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