

# COMPETITION AND MARKETS AUTHORITY CONSULTATION: DRAFT FUNERALS ORDER



Response from Humanists UK, May 2021

## ABOUT HUMANISTS UK

At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted to promote humanism by 100,000 members and supporters and over 100 members of the All-Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We have responded to question 1, making recommendations around the amount of information that must be provided about why officiants cost what they do, and make a more general point about some funeral directors not making available officiants from the full range of religions or beliefs with a presence in each area. We also provide more information about humanist funerals after our response proper.

## RESPONSE TO CONSULTATION

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

No. We have concerns about the standardised price list. They relate to the following 'additional options':

- Specific religious or cultural requirements – Price on request
- Funeral officiant (minister, celebrant etc.) – £xx

First, it is not entirely clear what might fall under the first of these two options, e.g. whether aspects of the provision of an officiant may be captured under this. Further guidance is needed.

Second, the language of the first of these two options is not phrased in a way that is inclusive of the non-religious. **We recommend it instead says 'Specific religious, belief-based or cultural requirements'**. This would bring it into line with equality and human rights law.

Third, and most seriously, we are concerned that the second of these two options, related to the price for a funeral officiant, seems to suggest that all funeral officiants should cost the same. This is not the case.

Humanist ceremonies are highly bespoke, personal affairs where celebrants spend hours getting to know the deceased through talking to their loved ones, and produce a fully bespoke script. As a



result, humanist funeral celebrants typically spend 8-10 hours per ceremony – sometimes more, where there are for example complex family situations. This means that their ceremonies may be more expensive than some other forms of ceremony, which use more standardised or templated scripts where large sections of the ceremony are pre-written and not changeable. On our website we advise that humanist funerals typically cost between £150 – £350, depending the scope of the ceremony, the amount of time involved in creating it and the location of the celebrant.<sup>1</sup>

We are also concerned that the definition of ‘disbursements’ in the Order makes plain that the funeral director can charge a mark-up on officiant fees, but does not have to disclose what this is.

**We recommend that what is specified is how much different types of officiants charge (Church of England, Catholic, humanist, etc), rather than one price for all of them. Furthermore, it should detail why they charge different amounts, i.e. the amount of time that goes into the ceremony and what this means in terms of what the bereaved (or customer, in the parlance of Order itself) the will get, and any mark-up by the funeral director.**

Finally, we are concerned that the placement of the second of these two options in this price list under ‘Additional Funeral Director Products and Services’ implies that the funeral director controls the celebrant selection and fee, and furthermore that this is a cost the funeral director themselves incurs. Of course, many families engage officiants directly without involving the funeral director.

**We therefore recommend that there is instead a whole new section of the form titled ‘FUNERAL OFFICIANT (MINISTER, CELEBRANT ETC.)’ and this explains ‘You may wish to engage a funeral officiant (i.e. a minister or celebrant) to lead your funeral ceremony. Many are self-employed, and fees vary according to scope of work and location. It is important you choose someone you feel comfortable with. You can pay them directly, or if you wish, the funeral director can both recommend and engage them on your behalf. If they do this, fees will be treated as a third party “disbursement”, which will be passed on to you as part of the final funeral director invoice.’<sup>2</sup> That could be followed by a range of specified prices for different types of officiants (as per our previous recommendation).**

#### **More general point**

One further concern we have that is not at present covered by the Order is that some funeral directors choose to work with only a subset of local officiants in a way that is anti-competitive.

Many funeral directors are brilliant in working with a good range of officiants, but some choose not to work with humanist celebrants at all, instead referring couples who ask for them to other officiants who are not humanists but willing to offer what they present as ‘humanist ceremonies’ (whether this be a commercial celebrant aligned to no particular religion or belief, or a priest who takes their collar off). We are therefore concerned that many families do not get the humanist

<sup>1</sup> ‘Fees’, Humanist Ceremonies: <https://humanism.org.uk/ceremonies/fees/>

<sup>2</sup> Wording as recommended by the Funeral Celebrancy Council, of which we are a member.



celebrant they want. We are concerned that this may have implications under the Equality Act 2010 or Human Rights Act 1998, with regard to religion or belief.

Essentially this seems to us should be akin to the problem that Article 6 is intended to tackle, but it is the funeral director in this case who may be being incentivised to offer services only from certain officiants, rather than the funeral director who is themselves inducing others.

We understand that funeral directors may reasonably wish to have some kind of control on which officiants they offer, but only as their control may relate to quality and safety. We do not think that funeral directors should otherwise be able to restrict who they (or their customers) work with, particularly not when it comes to offering religious or belief ceremonies. **We therefore recommend that further regulations specify that funeral directors must include in their standard price list the full range of different religious or belief officiants they are aware are available in their area, and where an officiant or ceremony of a particular religion or belief is requested, the funeral director must provide an officiant of that religion or belief.**

## ABOUT HUMANIST FUNERALS

A humanist funeral is a non-religious ceremony conducted by a humanist celebrant who shares the beliefs and values of the deceased. Humanist funerals differ from other types of funeral in that they are entirely individually crafted, a process that takes a significant period of time, to honestly reflect the humanist beliefs and values of the individuals involved. They are conducted by a celebrant who gets to know the deceased's loved ones well through the process of creating the ceremony, and who shares their humanist beliefs and values. Humanist ceremonies can take place in any venue, indoors or outdoors, that has meaning and relevance to the deceased or their family.

Humanism is a naturalistic view of the world that looks to human empathy and connection to give meaning in our lives, and as such, a humanist ceremony allows us to express those thoughts, beliefs, and feelings in a way that is meaningful for the deceased and their loved ones.

We have over 500 trained and accredited celebrants who are part of our Humanist Ceremonies network, including over 350 funeral celebrants based in England, Wales, and Northern Ireland. In normal times they conduct over 8,000 funerals every year.

We have been performing funerals for the duration of our history, since the 19th century, believe we were the first organisation in the UK to perform non-religious funerals, and believe we invented or pioneered most of the common features of such ceremonies today.

Plainly the role of the celebrant is vital in such ceremonies, and ensuring the highest of standards is therefore essential. People who come to Humanists UK for training as celebrants undergo a rigorous application and training process, with no guarantee of success. Our courses run for three months and include an induction day, two residential training sessions, coursework, and a mentor to support with the training from the outset (and give trainee celebrants the chance to observe a practising celebrant conduct a ceremony). Once accredited, our celebrants become a part of a



growing national network who have professional indemnity insurance, are quality-assured, and are regulated by a code of conduct.

Once accredited, celebrants are required to pursue continuing professional development to ensure they uphold the highest standards, undertaking their work with compassion and dignity. Our celebrants have a lot of support once they become accredited to the network, with a coordinator for each region and nation; local groups, upon whom they can rely for support and sharing of good practice; as well as an entire online resource and support system. As well as this, there is also a dedicated team of staff who work tirelessly to support the whole network and build understanding about humanist ceremonies with the wider public.

We have strict standards that need to be met to gain accreditation and remain accredited, and we offer our network a range of opportunities to improve their own practice, be it CPD sessions, conferences, or access to online support. Should a celebrant not meet our standards, there is a rigorous quality assurance process that allows us to work with the celebrant to address the problems, and, if that doesn't work, to de-accredit (i.e. remove) them from the network. We also have a rigorous complaints procedure, for if one of our celebrants does not meet the standards we expect. With that said, complaints are rare and our celebrants on average are rated five out of five 97% of the time, by those who have taken them on for a ceremony.

**For more details, information, and evidence, contact Humanists UK:**

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