

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?

NO

**I do not find it clear, and I know what I'm looking at.
(see notes below for 1,2 and 3)**

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

NO

(see notes below for 1,2 and 3)

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

(see notes below for 1,2 and 3)

Notes below for 1,2 and 3:

Attended funeral.

- **the total cost is unclear.**
 - **Is the total at the top?**
 - **is that total plus the fees below or are the fees below a breakdown?**
- **Transfer into our care. I would suggest a more typical radius is 40-50 miles.**
- **Transfer into our care. Does a transfer outside of office hours incur an additional cost? This should be made clear at this point.**
 - **If so, does it still constitute a 'standardised funeral' or could companies use an out of hours transfer to not provide a 'standardised funeral'?**
- **Care of deceased in appropriate facilities is mentioned.**
 - **There is no mention of preparation of the deceased, washing, dressing in own clothes or provision of a coffin gown.**
 - **There is no mention of embalming (we generally do not embalm).**

- **Viewing.** Does not specify here, daytime by appointment.
- **There is no indication of what level of staff are included.**
 - Does it include a conducting funeral director?
 - Does it include a team of pall bearer? or are they an additional expense?
 - If it does include pall bearers, how many does it include?
 - Is the coffin carried or wheeled?
 - Why might there be a need for more pallbearers?
- **Hearse direct to crematorium or cemetery.** What if the family would like to specify a route for the cortege, start from home or have a church service first? Would that no longer be a 'standardised funeral'.
 - I have seen many, generally larger companies, use a 'cheap' basic price to draw clients in, then when they ask for the slightest thing outside of the specified 'cheap' funeral, they have to 'upgrade' to the next level of service, dramatically increasing the expected cost. At which point the client is emotionally, if not financially committed. I fear the standardised price list may increase this behaviour, put clients at a disadvantage and discriminate against genuine honest funeral directors who offering a fair and inclusive service.

Unattended funeral

- It is confusing to have a burial which excludes essential third-party costs listed right next to cremation that includes essential third-party cost.

Fees you must pay

- Better description is required to make clear these are 'Third-Party Costs'.
- The description of burial charges is inaccurate.
 - Most of the burials we conduct are in churchyards are not subject to purchase costs and the interment fee does not include the digging of the grave.
 - Most of the cemeteries we use do not include the grave digging with their interment cost. For example:
 - Churchyard – Interment fee (DBF 14, PCC 306) total 320, plus the cost of a gravedigger.
 - Smaller local councils – Purchase (if applicable), plus Interment fee, plus gravedigger.
 - Larger town councils – Purchase (if applicable), plus Interment fee including the digging of the grave.

Additional products and service

- I think the distinction needs to be made between a funeral director's product or service and the product or service from a third party. A minister or celebrant is not a funeral director's product or service but for most funerals is a key element. (Of course, some funeral directors do offer a celebrant service, which would be a funeral director's service).

What about other important items that may or may not be included by a funeral director as a matter of course?

- **Bereavement support.**
- **Online announcement notice.**
- **Online (or physical) donations handling**
 - **what, if any, commission, or handling fees are taken from the donations.**
- **Will the funeral arranger be in attendance at the funeral, or will there be a separate funeral director?**
- **Again, if items such as these are not included but are subsequently added, does the funeral cease to be standardised. If such items are added over and above how can these be demonstrated on the stabilised price list as added value.**

Owners

- **as the overall owners is an important piece of information, should it not be included on the standardised price list, being a document that will be more closely scrutinised by clients?**

Standardized price list vs Additional Options Price List

- **I do not feel the standardised price list can accurately reflect the full range of services provided by a funeral director.**
- **To call the extra price list 'Additional Options Price List' seems miss leading. I feel it is this document where a client will more accurately get a feel for what services a funeral director can offer and the level of service they can expect. Additional Options feels rather secondary.**

Widow posters

- **A4 seems reasonable for most circumstances.**

Inside posters

- **The idea of an A2 poster sounds horrible, over powering and not in keeping with any funeral home I have seen. A3 also sounds too large.**
- **We need to display details of ownership, standardised price list, additional options price list, T&Cs, trade body code of conduct.**
- **More consideration needs to be given about how we can display this information prominently and sensitively.**
- **By the time most clients get to our premises, they have already made important decisions about what type and level of service they want and usually have made key arrangements, such as date, time, venue over the phone.**

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?

Does this exclude covering the handling costs and transaction fees for donations given in memory? i.e. the funeral director paying cards fees and transaction cost for online donations so the charity receives the full amount of the donation.

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.

We are not erroneously included but it would not take much for us to be. We conduct circa [] funerals a year, across three branches. One of those branches is unattended and used by appointment only. We keep it to provide a facility to a sparsely populated rural community. How do you compare a company like ours to funeral director with one or two branches conducting 1000 funerals a year?

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.

Seems reasonable.

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.

No.

For many companies, the adjustments might only be very minor. However, there will also be many, especially smaller companies with limited resources who will need more time to bring these changes into practice. As an industry we are still recovering from the dramatic impact the coronavirus pandemic has caused. It is only this week our company

has felt any noticeable easing of the number of funerals we have been conducting and only now I am finding time to look more closely at the CMA draft orders. Although overdue, I feel the CMA's timing has been unfairly implemented during the pandemic, bringing about major change when our industry has been concentrating on providing continuation of funeral services.