

## FUNERALS MARKET INVESTIGATION

### 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?**

**Southern Co-op response: No**

- It is not explicitly clear as to whether we have to use the exact format and layout as Part A to Schedule 1:
  - Can the price list be branded?
  - Can the price list be coloured/shaded for ease of the customer use?
  - Are the various boxes/lines a strict requirement or can they be removed if retaining the wording?
- Can you clarify whether the unattended funeral option is required on the pricelist if you do not offer it? You have clarified that companies that only offer unattended funerals do not have to include the attended option but not vice versa.

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

**Southern Co-op Response: No**

- Part B No10 – there is no reference to this in the standardise price list

**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)?**

**Southern Co-op Response: No**

We do not believe the current items are sufficient or inclusive enough to enable a funeral business to exist as the pricing elements listed for an attended funeral are the outputs of being a funeral director and critically no provision has been made to enable to charge for actually being a funeral director, having the premises /infrastructure to deliver such services which normally would be covered in most businesses or professions as some form of professional service charge – these would cover items such as:

- Significant fixed property overheads:
  - Mortgage/rent,
  - Business rates,
  - Utilities

- Property repairs and maintenance
- Security & Safety requirements
- Other significant fixed overhead expenses such us:
  - Running a 24 hour service (Fixed standby charges, phone cover/overheads)
  - Training & professional development
  - Fixed wages of Management/Owner & central support colleagues
  - IT, software & digital Infrastructure
  - Advertising, Marketing & PR

These fixed hidden expenses of being a funeral director are which ultimately enables the delivery of the various elements specified within an attended funeral, this will mean the above hidden fixed expenses and other costs will need to be spread across the 6 stated items which will artificially increase them and not be reflective

- Different funeral directors will interpret this differently and will spread the costs differently without explanation or transparency therefore these various services would be skewed causing more confusion for the customer when comparing
  - **Remedy/Solution - An additional section of pricing to be included** within the attended funeral specification should be included/allowed to enable a professional service charge or similar to allow for these fixed overheads of premises and other expenses to be accounted for.
- The **additional funeral director products and services** section
  - “Pallbearers” within this optional/additional section is inappropriate and it is unclear re the specific number of, which will lead to pricing disparity, misinterpretation and confusion.
  - Whilst Funeral directors may give an option for family members to act as bearers, as this can be something meaningful to them - most will still provide a full compliment of trained bearers to remove the coffin from the hearse/turn and shoulder the coffin/ then arrange for family members to gradually take over to carry in. Trained bearers will walk side by side/within easy reach to ensure safety is maintained and provide immediate help if necessary and for when lowering the coffin from the shoulders at the catafalque or graveside etc.
  - To not provide professional trained pallbearers puts the family and ultimately the business at greater risk on the day due to the following potential operational outcomes occurring
    - Families changing their mind on the day due to emotion or second thoughts
    - Carrying coffins can surprise many re weight and the physical effort to complete and may stop at mid point for professional bearers to take over
    - There is a much higher risk of the coffin falling/being dropped due to stumbles during bearing etc or when lifting off shoulders or lowering in to graves.
  - Family bearers will always represent a health and safety risk as they are not trained funeral operatives.

- Bearers can be a fixed cost whether used or not and will be part of fixed salaries if full time/part time and not casually employed.
  - **Remedy/Solution** - This pricing element should be moved and become part of the attended funeral specification which would be listed and charged for separately.

We believe a minimum number of bearers should be provided for all funerals to ensure the family receive the service they have purchased in a safe, secure and professional manner.

- 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?**

**Southern Co-op Response:** We have no issue with the £250 figure being put forward but would ask for clarification on the months that this will be required to be updated bi-annually as this information was left blank in the explanatory notes.

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?

**Southern Co-op Response: 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.

**Southern Co-op Response: 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.

**Southern Co-op Response: 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.

**Southern Co-op Response: Yes within reason of final order**

- The biggest issue here will probably be IT systems and whether these can be tailored for what is actually being requested in such time

**Southern Co-op further additional comment and feedback:**

- We believe the requirement to display the pricelist and local crematoria pricing in A2 format to be excessive this will have a significant impact unnecessarily on the aesthetics of the premises and will appear out of place and intrusive. A4 and no more than A3 is perfectly sufficient if as stated in the order it is displayed in a clear and prominent manner:
  - Legible & written in plain intelligible language
  - Easy to find irrespective of whether it is displayed in physical format or online.
  - Prominent within it's particular location ( In an area frequented by customers)
  - Brought to the customer's attention in such a way that the average customer would be aware of it. This means that a Funeral Director must actively draw the information to the Customer's attention in an appropriate manner.
  - In a branch window
  - Within one click of the homepage on the website

**Remedy/Solution** – A more practical and sensible requirement to present the pricelist in A4 and no more than A3 as through compliance with the order this information will also be readily available to clients in the window of the premises and on the website and we are also under a requirement to bring it to our customer's attention.

- Similarly the requirement for Crematoria to display their prices in A2 is equally excessive and totally unnecessary for the same reasons mentioned above.

Clients will be fully furnished with this information on multiple fronts so insisting on excessively large posters to be put up in crematoria premises is totally unnecessary and unreasonable, funeral directors having the correct up to date pricing information at the time of funeral arrangement, which is when the contract is made, is the crucial part and timing which has been resolved under this order.

Public will seldom physically call in to a Crematorium to ascertain cremation fee prices as this will be discussed 2-3 weeks prior to the cremation at the funeral home with the funeral director.