

FUNERALS MARKET INVESTIGATION
The Funerals Market Investigation Order 2021
Consultation questions

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

Yes, if there is some scope to apply some bespoke design to change it from the current 'take-away menu' look that is very un-professional looking and very outdated.

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

Yes as qualified by the quality differentiation comments in response number 3 below.

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)?

There is a fundamental problem within this as a catch-all statements such as 'appropriate facilities', 'hearse' 'appropriate vehicle' and 'necessary staff'. With all due respect I have seen a so called 'hearse' which I would not put my dog in as it was so filthy and literally falling apart, who deems what is appropriate as that is so vague as to be meaningless and finally 'necessary staff makes no reference to capability, suitability, qualifications or experience. A very current example is the Land Rover hearse used on the Duke of Edinburgh's funeral. Is that 'appropriate'? For him certainly but for the general public? I suggest totally inappropriate, however the problem is that is a question of opinion and thus surely un-enforceable? We fully appreciate the desire for some form of standardised comparison platform, but these extremely vague descriptions open to personal interpretation do nothing other than muddy the waters and remove the possibility of informed choice. What is more, we cannot see such vague descriptions as being enforceable. This reduces everything to a stark question of price with nothing to suggest quality or suitability or best practise or even decency.

The regulations drafted in Scotland were very much highlighting the care and facilities for care of the deceased, which seem missing here. For example capability and qualifications of staff caring for the deceased, the conditions in which they are to be cared for ex. sanitary dedicated mortuary, refrigeration, embalming facilities etc.



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We fear that the description of an unattended funeral should make clearer, in particular, that no mourners will be allowed to attend and that the cremation venue, day and time is at the funeral director's discretion. We also believe there needs to be transparency around the location of the cremation as some companies travel hundreds of miles in unrefrigerated vans to find the cheapest crematorium. If known, this may well be unacceptable to families and we would deem it as unprofessional.

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

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 correctly included however we know of operators who currently advertise 5 or more branches that are not on your list. When is this self-reporting mandatory and are there penalties for non-compliance as otherwise this is patently discriminatory?

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. ***If we became aware that we were not compliant in any area, it would seem only just that we be allowed time to achieve compliance within a reasonable time-frame, dependant on the remedies required, without the need for reporting.***

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

FURTHER COMMENTS:

Re displaying information. We feel that the call for transparency has been replaced with in-your-face insensitivity with the proposed sizes of signage being proposed. In an industry where discretion is sought with thoughtfulness towards families' sensitivities, this has completely crossed the line. We have absolutely no issue with having clearly displayed, visible and accessible price information available on-line, displayed in offices and available to take away, however, to require that anything other than enormous spaces be completely dominated by price lists is grossly out of any proportion.

Re Information required by the CMA from multi-branch operators:

- *Whilst we have no desire to provide a lot of detail, the information seems very raw and so of limited value. Allocation of funerals to specific branches is a very imprecise science especially out-of-hours where the on-call service is provided from a hub. That information is therefore imprecise.*
- *Equally raw and so limited in value is the average funeral revenue divided by the number of funerals. For example, three factors that will very substantially alter this are;*
 1. *Cultural and religious traditions which will in some cases dictate extremely low-cost coffins such as Muslim or Jewish funerals, whilst others dictate very expensive choices such as Travelling and Chinese communities*
 2. *Local perceptions around provision of limousines as a part of traditional expectations. In some areas we serve they are a normal expectation and almost essential, in others a total unnecessary luxury.*
 3. *Distances travelled for the collection of the deceased (Ex. Collection of a deceased from Cornwall for a Scottish funeral would add literally hundreds of pounds to the cost and skew any averages as would repatriations.*