

CEO

VIEWPOINT

One might think that community interest company The Good Funeral Guide - established as a “consumer advocacy organisation for the bereaved” and which prides itself on being “wholly independent of the funeral industry” - would be arguing strongly for the independent statutory regulation of funeral directors.



Furthermore, as an organisation that visits and ‘accredits’ funeral homes against standards set by itself, one would expect that it would desperately want a seat at the table at the stakeholder reference group of the Funeral Service Consumer Standards Review (FSCSR), the cross-industry body established to arrive at a common Code of Practice for funeral directors, a common approach to price transparency and common principles to underpin inspection regimes.

Surprisingly, The Good Funeral Guide is not advocating independent statutory regulation, and has refused to join the stakeholder reference group of FSCSR.

What on earth is going on? What is The Good Funeral Guide’s position on regulation, and why would it not want to fulfil its consumer advocacy role for the bereaved by having a say in the development of standards to apply across the industry?

According to a recent blog piece by Fran Hall, the “absolute and certain belief” of The Good Funeral Guide is one that is against regulation. Fran quotes, in agreement, a prior blog post by Charles Cowling (published in 2009) stating that “lousy undertakers can

never be improved by training courses and Government regulation.”

What an extraordinary statement! I am lousy at a lot of things, but I can’t think of anything where some training wouldn’t improve things and, if it was something important, Government regulation would obviously act as a barrier to my lousy practice being let loose on the public if, after training, I still failed to make the grade. The statement fails to address the fact that the lack of training requirements and regulation means that someone can leave prison one day and set themselves up as a funeral director and start lining up bodies in the garage the next.

A different argument is also put forward in the same blog piece: “Professionalising and regulating undertakers can only reinforce the perception that they are the default disposers of the dead and, worse, move them a step closer to being the only people licensed to do so.”

In other words, regulation would create an unwelcome monopoly for funeral directors. Again, this is a specious argument. There are lots of statutory regulated professions where there is no monopoly for those professions



over the core activities they carry out. Architects, for example, are regulated by statute - but no-one need use an architect to design a building. Art therapists are a regulated profession but, quite obviously, no-one need use an art therapist to pursue art for therapeutic purposes.

Despite its fundamentally anti-regulatory stance, The Good Funeral Guide does acknowledge that some kind of regulation is inevitable. On this, it says that regulation needs to be carefully crafted, not determined by the trade associations, but led by the interests of the bereaved person. Finally, some sense. NAFD's own position statement on regulation acknowledges the perception that there is incompatibility between a trade body being a regulator in the public interest and it being an advocate for its members. But, when I asked Fran Hall on Twitter if The Good Funeral Guide would be asking the Competition & Markets Authority (CMA) for

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independently-led regulation of funeral directors, an emphatic “no” was the response.

This is all the more puzzling given that it welcomed the CMA market study into the funeral sector. “AT LAST” said Fran, “... an official body has been seeing what we have been pointing to and writing about for years”. She goes on: “And an official body with clout ... which could lead to recommendations to Government to impose transparency requirements, changes to the regulatory framework regarding funeral directors or the establishment of a regulatory body, with the possibility of CMA-led price regulation.” In other words, the clout to introduce regulation.

In short, The Good Funeral Guide's position on regulation is unclear and, despite a number of attempts, it has not proven possible to persuade Fran Hall, who so ably leads the Guide, to come to the table to discuss her concerns

and help shape the way forward. This is a shame, as the Guide's voice is as important as any other in the sector and we have a once-in-a-generation opportunity to shape regulation in a way that truly represents the interests of bereaved people.

The FSCSR project - which is independently led by Steering Group Chair, Lewis Shand Smith, and has former Inspector of Funeral Directors Natalie McKail chairing the two working groups - represents an ideal opportunity for The Good Funeral Guide to shape the future regulatory environment and its participation has been sought. Surely being fully engaged in discussions about regulation and standards is the very least bereaved people should be able to expect from those advocating on their behalf?

John