

The Funeral Director Code and your business



What your business needs to do now

At the Autumn General Meeting on 15 October 2020, the NAFD launched The Funeral Director Code - a robust and comprehensive set of codified standards for the funeral directing profession.

The Code closely mirrors the proposals of the Funeral Service Consumer Standards Review (FSCSR) and will eventually replace the current NAFD Code of Practice. You can view the presentation, given about the Code, by Funeral Service Consumer Standards Review chair, former Chief Ombudsman Lewis Shand Smith, on the NAFD members' website.

The Funeral Director Code is different to the NAFD Code of Practice in a number of important ways:-

- it is far more comprehensive and is accompanied by guidance to help businesses understand their obligations;
- it seeks to meet the needs of all business types by setting out outcomes that they must achieve rather than setting out specific behaviours that must be adhered to;
- it expressly deals with areas of concern that have been raised by the Scottish Government and the Competition and Markets Authority (CMA) by placing greater emphasis on price transparency and 'back of house' quality standards;
- importantly, the Code was developed with significant input, not only from working funeral directors, but also from a wide selection of regulatory specialists, consumer charities and other stakeholders.

The launch of The Funeral Director Code marks the NAFD's first step towards a new regulatory model that we believe will work well for the sector and the families it serves.

The Funeral Director Code is available to view online and download at nafd.org.uk/code-of-practice.

What does the Code contain?

Some of the key new features and requirements

It is your responsibility to ensure you comply with The Funeral Director Code, and NAFD members are strongly advised to set time aside for their staff to familiarise themselves with The Funeral Director Code.

Some examples of new requirements are:-

- the Code Principles apply to both Category A (funeral firm) and Category B (supplier) NAFD members;
- a requirement for NAFD members to provide pricing information online by keeping their information up to date on funeral-directory.co.uk;
- a requirement for NAFD members to ensure they have access to suitable refrigerated mortuary facilities;

- NAFD members are now expressly prohibited from retaining ashes (cremated remains) in lieu of payment;
- a requirement to keep a record of all deceased people you take into your care for a minimum of 10 years;
- a six-month implementation period.

The Funeral Director Code will replace the NAFD's Code of Practice. However, we appreciate that members have only just had sight of the new Code and will likely need time to make any necessary changes to align their businesses with any new requirements.

We will, therefore, use the next six months as an implementation period, during which the NAFD will place particularly strong emphasis on assisting members to comply with new requirements.

During this six-month period, the NAFD will only take formal disciplinary action against a member if they breach The Funeral Director

The Code Principles

Funeral directors must:-

1. act in the best interests of each client, prospective client and customer;
2. provide the best possible level of care to bereaved people, keeping in mind the specific needs of each client and family;
3. respect and maintain the dignity of deceased people in their care at all times;
4. act transparently, with honesty and integrity;
5. provide clients with full and fair information about services, products and associated prices;
6. behave in a way that promotes and maintains public trust in their business, the funeral directing profession and related industries;
7. comply with all legal and regulatory obligations and deal with their regulators in an open, timely and cooperative manner;
8. run their business effectively and in accordance with proper governance and sound risk management principles;
9. run their business in a way that encourages equality of opportunity and respect for diversity; and
10. run their business in a way that encourages a culture that values and welcomes both negative and positive feedback as a way of putting things right and continuously improving service.

Code in a way that would also have amounted to a breach of the previous NAFD Code of Practice.

Changes to Funeral Directory

New features to help you comply with the Code

In response to the CMA's Provisional Decision Report, the NAFD has made some changes to its online membership platform – funeral-directory.co.uk.

In particular, we are now asking all funeral directing members to provide the following details, which will be displayed next to their designated page on the website:-

- the price of the least expensive service options you provide that meet certain minimum criteria;
- details about your terms of business, including payment terms and the amount of deposit clients are required to pay;

- details of any late payment charges that apply.

We have updated the platform to automatically provide consumers with information about the price options at crematoria local to your branches.

Providing the NAFD with this information is a requirement of The Funeral Director Code, and we will be in touch over the next six months to assist you to comply with this.

We have made these changes in order to ensure NAFD members are in a strong position to comply with any requirements the CMA makes of funeral directors in the coming months.

We are aware that some businesses, particularly those with a large number of branches (more than 20), may find it disproportionately time consuming to provide this information using the normal input method. We are currently working on solutions that will make the process easier for those members and will be in touch about this over the coming weeks.

“

WHILE THE FUNERAL DIRECTOR CODE HAS NOW REPLACED THE NAFD CODE OF PRACTICE FOR MOST PURPOSES, IT WILL REMAIN IN FORCE FOR THE PURPOSES OF MEMBER DISCIPLINARY HEARINGS UNTIL 15 APRIL 2021.

”

Frequently Asked Questions

I am worried I might be in breach of the new Code. What should I do?

Don't worry, we understand that the new Code will require some members to make changes and we do not expect these to happen overnight. This is why we are running a six-month implementation period, during which the NAFD will work to support members to comply with any new Code requirements.

If you want to discuss how the new Code applies to your business, please contact National Office using info@nafd.org.uk to arrange a call with a member of our team.

Is the existing Code of Practice still valid?

Yes.

While The Funeral Director Code has now replaced the NAFD Code of Practice for most purposes, it will remain in force for the purposes of member disciplinary hearings until 15 April 2021.

I don't currently make my pricing available online. Will I have to?

The Funeral Director Code does require that you make some pricing information available online.

In order to remain a member of the Association, you will need to comply with this requirement before 15 April 2021.

A really easy way of doing this is to log into www.funeral-directory.co.uk, making sure your basic pricing information is up to date. If you have mislaid your log-in details, please email su@nafd.org.uk.

