

## **The complaint**

The estate of Mrs D complains about poor service from Dignity Funerals Limited after Mrs D died and her family sought to arrange her funeral. The estate is also unhappy about poor communication regarding the cost of a horse-drawn hearse.

References to Dignity include the actions of its funeral directors, acting on its behalf to deliver the funeral plan.

The complaint is brought on behalf of the estate by Mrs D's daughters as executors.

## **What happened**

In 2004, Mrs D bought a pre-paid funeral plan with Dignity. Sadly, in June 2023, Mrs D died. Mrs D's family say they encountered a number of issues whilst trying to arrange Mrs D's funeral. These included poor communication, not receiving a call-back when expected, confusion over the logistics and cost of removal of gold teeth and provision of a horse-drawn hearse, an important remembrance card being lost and the charity collection box going missing at the service.

Mrs D's family subsequently complained. In summary, they said their experience with Dignity had caused considerable distress and inconvenience at an already upsetting and difficult time.

Dignity partly upheld the complaint. It acknowledged there'd been issues and that more could've been done to manage expectations and communicate better. It expressed regret regarding the family's experience and apologised for the distress caused.

I understand that Dignity made no additional charge for the removal of gold teeth and limited the cost of a horse-drawn hearse to that for two, rather than four horses. The cost of a motorised hearse was refunded from the cost of the plan and Dignity paid £200 distress and inconvenience as well as £180 towards loss of earnings in connection with a promised call-back. However, a bill from the funeral directors for £1268 remains outstanding.

Mrs D's family weren't satisfied with Dignity's response, so came to the Financial Ombudsman Service. They thought the outstanding bill should be written off. They were also unhappy about the missing charity box and wanted Dignity to pay £100 to a hospice in the name of Mrs D.

After the complaint came to our Service, Dignity made an offer to settle matters, agreeing to pay £100 to the hospice named by Mrs D's family. Mrs D's family didn't accept this offer. So our investigator reviewed things. She explained she was unable to comment on Dignity's response to the service elements of the complaint, including the payments for distress and inconvenience and for loss of earnings, as our rules only allow us to award compensation to eligible complainants themselves, not their representatives or families. However, she was able to look at complaint points relating to any loss of value in the plan and the outstanding bill.

Our investigator concluded that Dignity's actions in respect of the motorised hearse and the cost of the horse-drawn hearse were fair and that it wasn't reasonable to ask Dignity to write off the outstanding bill, as the services had been provided and were legitimately charged for. She also considered that Dignity's offer to pay £100 to the hospice named by Mrs D's family was fair and was what the family had asked for.

Mrs D's family remained unhappy and asked for an ombudsman to review things and issue a final decision, so the complaint has come to me.

### **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so, I'm upholding this complaint to the extent that I require Dignity to pay £100 to the hospice named by the estate in respect of the missing collection box at the funeral. I'm satisfied that the outstanding bill remains payable.

I acknowledge the strength of feeling Mrs D's family has regarding what happened. And I appreciate my decision will be unwelcome news. I'm sorry about that. I'll explain my reasons, focusing on the points and evidence I consider material to my decision.

Firstly, for completeness, I'll reiterate what our investigator has explained regarding our powers to award compensation. Our rules only allow us to award compensation to eligible complainants themselves – that's Mrs D in this case. The events complained of all happened after Mrs D died, so didn't affect her personally. I'm afraid that means I can't consider the impact of Dignity's actions on Mrs D's family. I appreciate this is an unsatisfactory position for Mrs D's relatives, but it's not something I can change.

I do, nevertheless, accept that Dignity's dealings with Mrs D's family fell short of expectations and caused upset, stress and inconvenience at what was an already distressing and challenging time.

I can't comment any further on the payments made in respect of loss of earnings or distress and inconvenience to Mrs D's family. And the estate has not had to pay for the motorised hearse or removal of gold teeth, meaning there's no financial loss in those respects. So the two key issues for me to consider are the collection box funds and the outstanding bill.

I've looked at the outstanding bill, the majority of which comprises the cost of two horses for a horse-drawn hearse. This was a special request, noted on Mrs D's plan, but not one towards which Mrs D had made additional payments. There were communication issues regarding whether two or four horses would be necessary. In view of this, although four horses were provided, Dignity has charged for two. This service was provided, along with the other items listed on the bill which were not covered by the plan. So I don't think Dignity has acted unfairly in requesting payment for these items from the estate and I'm not going to ask Dignity to write off the outstanding bill.

Mrs D's plan included, under the service of *funeral attendance*, the collection of all charitable donations. There was a web page for online donations and a box for cash contributions was available at the funeral. There's a difference of opinion regarding what happened to the cash box, but in any event, Dignity has offered to pay £100 to the hospice requested by Mrs D's

family. I think this is fair. It's what Mrs D's family asked for and it reasonably reflects the issues encountered in delivering this aspect of the plan.

### **Putting things right**

Dignity has agreed to pay £100 in respect of the missing collection box. The executors have requested the money be paid directly to a specific hospice, in the name of Mrs D. Dignity should now do this and should tell the executors when the payment has been made. If there's any issue with paying the hospice directly, payment should be made to the estate, to acknowledge the loss of value in this aspect of the plan. The estate would then be able to forward the money to the hospice.

### **My final decision**

My final decision is that Dignity Funerals Limited should put things right as detailed above.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of X to accept or reject my decision before 3 April 2024.

Jo Chilvers  
**Ombudsman**