

The complaint

Mr R's complained – in his capacity as executor of his late mother, Mrs R's estate – that Co-op Funeral Plans Limited failed to provide Mrs R's funeral in line with the pre-paid funeral plan she'd bought.

What happened

Mrs R bought a pre-paid funeral plan from Co-op in 2019. When she died at the end of 2023, Mr R contacted Co-op to redeem the plan.

Co-op had some initial difficulties locating the plan details. But, they'd done so they arranged Mrs R's funeral in accordance with the plan she'd bought.

Following the funeral, Mr R complained to Co-op. He was unhappy that the member of staff with whom he dealt hadn't known where the cemetery was located – even though it was very close to Co-op's premises. He said that the delays in finding Mrs R's documentation were caused by the fact Co-op hadn't recorded her name corrected – which he'd raised in a previous complaint made in 2019. And he was upset that, after watching a video of Mrs R's coffin being lowered into her grave, he noticed the coffin plaque bore the wrong date.

Co-op accepted their service had fallen short, in that the date on Mrs R's coffin plaque had been wrong. And they said the staff member he'd dealt with was new to the area so wasn't aware of the cemetery's location and the records hadn't been corrected as they should have been. They offered Mr R compensation for these shortcomings. Mr R didn't think the compensation adequately recognised what had gone wrong. So he brought the estate's complaint to the Financial Ombudsman Service.

Our investigator considered the matter and concluded Co-op should refund Mrs R's estate £50. She explained that our service can only make a compensation award to an eligible complainant. The eligible complainant in this case is the estate. But the distress and inconvenience Co-op's errors had caused was to Mr R and other members of his family – whom we have no power to compensate.

But the investigator said she could look at whether Co-op had delivered all the parts of Mrs R's pre-paid funeral plan. Having done that, the only aspect she could say hadn't been delivered in accordance with the plan was that the coffin plaque was wrong. She ascertained the cost of the plaque was £25. And she said it was usual for the coffin to have two plaques – which is why she said the refund should be £50.

Mr R confirmed the estate didn't accept the investigator's view. So I've been asked to make a final decision.

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 that, I'm upholding the estate's complaint – but I'm not asking Co-op to do any more than our investigator recommended. I'll explain why.

I understand Mr R was upset by what happened and I'm sorry about that. But, as our investigator explained, our rules simply don't allow us to direct Co-op to pay him - or anyone else who was upset – compensation. Our rules are clear that compensation can only be paid for distress and inconvenience to an eligible complainant. In this case, that would have been Mrs R – but the issues that are complained about happened after her death.

So, while I note Co-op have offered Mr R compensation varying between £100 and £250, the adequacy of those offers isn't something I can comment on.

What I can consider is whether Co-op delivered the services included within Mrs R's pre-paid funeral plan to a satisfactory standard. If I don't think they've done that, I can direct Co-op to repay some, or all, of the cost of that service to the estate, to reflect the diminution in the value of the service provided.

I've considered what the plan covered and the complaints Mr R raised. The only complaint which relates to something covered by the plan is that the date on the coffin plaque was wrong. There's no dispute this happened. The issue between the parties is what needs to happen to put this right.

Putting things right

Mr R says that, because of what went wrong, Co-op should refund the entire cost of Mrs R's pre-paid funeral. I appreciate why he'd say this, but I don't think that's a fair way to resolve the complaint because Co-op provided the funeral. And only one aspect of the pre-paid services – the coffin plaque – wasn't delivered as it should have been. So the most I can award is the cost attributable to the plaque.

The investigator asked Co-op how much the plaque cost. Co-op didn't reply. But the investigator researched the cost and found it to be in the region of £25. And she said there are frequently two plaques on a coffin – hence her recommendation that Co-op refund £50.

Co-op accepted that figure. Mr R said the estate didn't agree. But that was based on his belief that compensation should be paid – not on the value the investigator had attributed to the cost of the plaque. I've already explained the basis on which I can consider redress. In the absence of any evidence to show me the investigator's research is wrong, I'm satisfied it's fair for Co-op to pay Mrs R's estate £50, to reflect the diminution in value of the of the plaque being incorrect.

And, in line with our usual approach, which is set out on our website, Co-op should add 8% simple interest to this amount, calculated from the date of Mrs R's death until the date the payment is made. If Co-op considers that it's required by HM Revenue & Customs (HMRC) to deduct income tax from that interest, it should tell the estate's representative – Mr R – how much it's taken off. And it should provide a tax deduction certificate, if requested, so the estate can reclaim the tax from HMRC if appropriate.

My final decision

For the reasons I've explained, I'm upholding the complaint Mr R's made about Co-op Funeral Plans Limited on behalf of Mrs R's estate and directing Co-op to refund the estate £50, together with 8% simple interest on that amount, calculated from the date of Mrs R's death to the date of payment.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs R to accept or reject my decision before 3 January 2025.

Helen Stacey
Ombudsman