

The complaint

Ms D complains that Golden Charter Limited misled her about her funeral plan covering the cost of a burial plot.

Golden Charter has accepted responsibility for the sale of this funeral plan.

Ms D has been represented by her daughter. For clarity, I'll refer to Ms D throughout my decision.

What happened

Ms D purchased a Golden Charter funeral plan in 2016. She remembers being told that her plan included a burial plot. She said she chose the plan so her family wouldn't have to purchase a plot for her. She said she was told that more details about the burial plot that had been purchased would be sent in the post.

When Ms D received her documents, she noted that the plan summary said, "Grave in process of being purchased – details to follow". She found this to be in line with what she remembered from the sale.

Ms D was recently discussing her funeral plan with her family. They noted that she hadn't received any further information about a burial plot. Ms D asked Golden Charter about this and it said her plan doesn't cover a burial plot. Golden Charter sent Ms D a revised plan summary with an additional page that confirmed a plot wasn't included. Ms D says Golden Charter admitted this additional page wasn't given to her before.

Ms D complained. She said burial plots are a lot more expensive now than they were in 2016.

Golden Charter didn't uphold the complaint. It said its funeral plans don't include burial plots because these need to be purchased separately. It said Ms D's application shows that she was going to purchase one, not Golden Charter. However, it admitted it didn't transfer this over to the plan summary correctly, which has caused confusion. It apologised for this.

Ms D didn't think this was fair, so she referred the matter to the Financial Ombudsman.

Our investigator didn't think the complaint should be upheld. She said it's normal for burial plots to be purchased by the plan holder because they're not usually covered by funeral plans. She thought Ms D's application form showed that this had been explained to Ms D. Ms D didn't agree and so the matter has been passed to me 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 so, I'm not upholding the complaint for broadly the same reasons as our investigator. I know this will be unwelcome news for Ms D, but I'm not persuaded the plan

was mis-sold. I'll explain my reasons, focusing on the points and evidence I consider material to my decision. So, if I don't refer to a particular point or piece of evidence, it's not because I haven't thought about it. Rather, I don't consider it changes the outcome of the complaint.

The parties will appreciate I don't know what was said when Ms D purchased her plan. I acknowledge her recollection. But I have to consider all the available evidence and weigh up what I think most likely happened.

The key piece of evidence, in my opinion, is the application form completed on the day of purchase. Under the heading, "Grave Details", I can see the following printed on the form:

"The purchase of the plot is not included within this plan. If you wish to purchase a plot then this will be done separately."

Golden Charter said none of its plans include a burial plot and I think the form supports this.

A little further down the form, the following two things are written by hand:

"Grave in process of purchasing."

"Grave space being purchased by plan holder. Details to follow."

This suggests to me that there was a discussion about burial plots and Ms D said she was going to purchase one – or at least that she was made aware that she would need to do so. This is in line with standard industry practice. It's common for funeral plans not to include a burial plot, and for plan holders to provide the details of the one they or their family choose.

What I find most persuasive, though, is that the printed information and the hand-written statements that I quoted above are all on the same page, just a few inches above where Ms D signed the document. I think it's very likely that Ms D would have seen that information. If Ms D had been given contradictory information during the sale, I think the application form would have prompted her to ask further questions, but Ms D hasn't mentioned this.

I also think it's reasonable to expect that Ms D would have followed up with Golden Charter if she'd been told that a plot was going to be purchased for her and more details were going to come in the post. But I note that this wasn't followed up for many years.

I've considered the plan summary that Ms D says is misleading. I agree that "grave in process of being purchased – details to follow" doesn't say who is purchasing the grave or who is providing more details. I think it's right that Golden Charter apologised for this. But I don't think it shows that Golden Charter misled Ms D. It doesn't say that Golden Charter will purchase the plot, only that one is being purchased. And a grave being purchased and details to follow is written on the application form that Ms D signed. I think it would have been helpful if Golden Charter had added "by Ms D" to make things clear. But I think it's very likely that this was already explained to Ms D based on the application form.

The third page of the plan summary clearly states that a burial plot is not included. I understand the third page may not have been given to Ms D until more recently. Ms D has suggested that Golden Charter acted fraudulently by concealing this page from her. But I don't think that's likely to be the case. The third page includes lots of other information about the plan and Ms D hasn't suggested that any of this is out of line with her recollection of the sale. So, if the extra page wasn't provided in 2016, or is new, I don't think this was done to mislead Ms D about the purchase of a burial plot.

I'd like to reassure Ms D that I've taken her testimony into account as far as I can. But I'm more persuaded by the documentary evidence from the time of sale, which strongly indicates that Ms D was made aware that a burial plot is not included, or at least that this was stated clearly on the document she signed. So, I don't find that this plan was mis-sold.

I appreciate the price of burial plots has increased, and this has left Ms D in an unfortunate position. But I can't fairly hold Golden Charter responsible for this. So, I won't be ordering it to do anything further to resolve the complaint.

My final decision

For the reasons set out above, I don't uphold Ms D's complaint. I make no award against Golden Charter Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms D to accept or reject my decision before 10 February 2025.

Chris Woolaway
Ombudsman