

## **The complaint**

The estate of Mrs S complains about poor service from Co-op Funeral Plans Limited after Mrs S died and her family sought to arrange her funeral.

The estate is represented by Mrs S's widower, Mr S.

## **What happened**

Mrs S took out a pre-paid funeral plan with Co-op in 2015. She selected and paid £515 for a rosewood-effect coffin. Sadly, in December 2023, Mrs S died. Mr S contacted Co-op to arrange for the funeral to be delivered.

Unfortunately, during the preparations for the funeral, Mr S learned that Co-op could no longer provide the rosewood coffin Mrs S had chosen. Co-op hadn't told Mrs S this while she was alive. Co-op gave Mr S three other coffins to choose from. Mr S felt these were inferior. Because of the time pressure, Mr S felt forced to accept one of them. When Mr S saw this coffin, he was unhappy with the quality and deeply upset that he hadn't been able to give his wife the funeral she wanted.

Mr S complained. Co-op acknowledged that there'd been poor service and a lack of communication about the coffin. Co-op first offered £350 for the lack of communication and the difference in quality between the coffins. It later increased this to £500 for the coffin and £350 for distress and inconvenience.

Mr S didn't think this was fair, so he referred the estate's complaint to the Financial Ombudsman.

Our investigator explained she couldn't comment on Co-op's compensation offer of £350 as our rules only allow us to award compensation for distress and inconvenience to eligible complainants, not their representatives. However, she thought Co-op should pay the estate £515, not £500, to cover the cost of the rosewood coffin that Mrs S had paid for.

Co-op agreed to this. Mr S didn't agree. In summary, he said Co-op had breached its contract with Mrs S. He explained the pain of burying his wife in a coffin she hadn't chosen, and how Co-op had made an already horrible event worse. He said the offer of compensation was not enough. He also pointed out that he selected the same coffin in his funeral plan, but Co-op hasn't contacted him to say it's no longer available. He also noted that the coffin was available from other sellers.

As Mr S didn't agree, 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 upholding the complaint to the extent that I require Co-op to pay the estate of Mrs S £515 for a loss of value in the funeral plan she bought. This is distinct from the £350 of compensation Co-op offered to Mr S separately.

I acknowledge the strength of feeling Mr S has about what's happened. I appreciate my decision will come as unwelcome news. 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.

Firstly, for completeness, I'll reiterate what our investigator has said about our powers to award compensation for distress and inconvenience. Our rules only allow us to award this type of compensation to eligible complainants themselves – that's Mrs S in this case as the plan holder. The events complained of all happened after Mrs S died, so didn't affect her personally. While Mr S is able to represent Mrs S's estate to bring the complaint to our service, I'm afraid I can't consider the impact of Co-op's actions on Mr S or his family. I appreciate this is an unsatisfactory position for Mr S and I'm sorry about that. But it's not something I can change.

I do, nevertheless, accept that Co-op's handling of the matter has been poor. Co-op has caused upset, stress and inconvenience at an already distressing and challenging time. I was sorry to read how painful the matter has been for Mr S and his family. But I'm not able to award compensation for this. Even so, I'm pleased to see Co-op acknowledged there were failings, apologised, and offered £350 to try to put things right. I understand from Co-op that this offer is still available if Mr S wishes to accept it.

As well as the emotional impact of Co-op's mistakes, there has been a financial loss to Mrs S's estate. The coffin she chose and paid for was not provided. Mr S had to select a coffin he viewed as inferior. It's difficult for me to determine the difference in value between the coffin Mrs S paid for in 2015 and the coffin provided in 2023. But I'm satisfied there has been a diminution in the value of the plan. I think £515, as the full cost of the rosewood coffin, is a fair amount for Co-op to pay to put things right. I say this because I think it recognises any reduction in the quality of the coffin provided. I must stress that this financial loss is separate from the emotional impact of Co-op's mistakes, which is reflected in Co-op's offer of £350.

Mr S has said Co-op could have provided the rosewood coffin as it's available from other sellers. Even if that's the case, the funeral has been carried out, so I have to decide whether Co-op has made a fair offer after the fact, and I think it has.

I also appreciate Mr S feels strongly that Co-op has breached its contract with Mrs S. He would like a full refund. I don't think it would be fair and proportionate for Co-op to refund the entire plan. I say this because the plan has been delivered, and Mr S has been complimentary about the other aspects of its delivery. The financial loss the estate has suffered does not extend beyond the coffin – and I'm satisfied Co-op's offer is fair and reasonable to address this financial loss.

I've seen what Mr S has said about his own funeral plan and coffin, but that is a separate matter from Mrs S's plan which is the subject of my decision here.

### **Putting things right**

I know my answer will be disappointing for Mr S, especially as I'm not able to recognise in my redress the significant impact the matter has had on him. But I can't act outside of my powers. So, to resolve the matter, I direct Co-op to pay the estate of Mrs S £515 to reflect the diminution in value of Mrs S's plan.

If Mr S wishes to accept Co-op's offer of £350 compensation for distress and inconvenience, he should contact Co-op to confirm this.

### **My final decision**

For the reasons set out above, I'm upholding the estate of Mrs S's complaint about Co-op Funeral Plans Limited and directing Co-op to pay the estate £515.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs S to accept or reject my decision before 5 February 2025.

Chris Woolaway  
**Ombudsman**