

The complaint

Miss P's complained – on behalf of her late father, Mr P's estate – that Co-op Funeral Plans Limited didn't provide the services included in Mr P's pre-paid funeral plan to a satisfactory standard.

What happened

Mr and Mrs P each bought a pre-paid funeral plan from Co-op in 2013. When Mr P passed away early in 2023, his family contacted Co-op to redeem the plan and arrange his funeral. Miss P acted as representative for both her late father and her mother in this regard. But I should clarify this decision deals only with complaints made about Mr P's plan.

Very shortly after her first contact, Miss P complained that Co-op contacted her by telephone about outstanding matters but failed to provide any contact details to enable her to call back and resolve them. And, in the following months, she complained about the quality of her father's care and embalming – which she said was so poorly executed that she was traumatised by seeing him. And she refused to allow other members of the family to view Mr P, so as to spare them similar distress.

Co-op responded to the first complaint by offering Ms P £35 compensation. But they failed to log the second complaint until Ms P chased them. And they didn't offer anything to resolve it.

Miss P brought the estate's complaint to our service. Our investigator considered all the available information and concluded that Co-op needed to do more to resolve the issues. She explained that we have no jurisdiction to award compensation to anyone other than an "eligible complainant" – which in this case is Mr P's estate.

But we can consider whether Co-op had satisfactorily provided the pre-paid funeral services Mr P had bought in his lifetime and – if they hadn't – we could make an award which reflected the loss of value in the plan. The investigator said the poor quality of Mr P's care and embalming meant it was fair for Co-op to refund all of the cost attributed to care of the deceased – which came to £1,085. And she said Co-op should pay 8% simple interest on that amount, calculated from the date of Mr P's funeral until the date Co-op repays the estate.

Both parties initially accepted the investigator's view. But Co-op didn't pay what the investigator had recommended so the matter was re-opened for a final decision to be made. Although Co-op have since offered to make payment, Miss P has confirmed the estate would like an ombudsman 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 decision. I'll explain why.

When the investigator originally sent her view of the complaint to both parties, they accepted without comment. But, following the delay by Co-op in making payment, Miss P made some comments which I'll address below.

There's no dispute Mr P wasn't cared for properly between his passing and his funeral. And it's clear from what I've read that Miss P has been deeply affected personally by the shortcomings in that care. I'm not surprised by this and I sympathise. But, as our investigator explained, we don't have jurisdiction to award compensation for distress and inconvenience – however great - to anyone other than Mr P. And I can't reasonably say he was distressed or inconvenienced because everything complained about occurred after his death.

Similarly, I can only consider issues relating to Mr P's plan and its delivery. So, while I note, and understand, Miss P's concerns about how her mother's plan might be dealt with when needed, that's not something I can consider here.

So my decision is limited to reviewing the matters the investigator considered in her view. Having done that, I'm satisfied that Co-op didn't provide Mr P with the standard of care and embalming covered by the plan. So it's fair they should put that right.

Putting things right

I agree with our investigator that it's fair for Co-op to refund the full cost attributable to care and embalming of Mr P. Co-op evidenced that cost was £1,085 and agreed that was what they'd pay.

And I agree that Co-op should pay 8% interest on this amount, calculated from the date of Mr P's funeral until the date they make payment to the representatives of his estate.

My final decision

For the reasons I've explained, I'm upholding the complaint Miss P's made about Co-op Funeral Plans Limited on behalf of Mr P's estate and directing Co-op to refund the estate £1,085 together with 8% interest on that sum, calculated from the date of Mr P's funeral until the date they make payment.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mr P to accept or reject my decision before 12 December 2024.

Helen Stacey
Ombudsman