

Complaints Procedure

Initial Stage:

Those wishing to complain do not have to pursue matters through the following procedures and may pursue other options, such as court action, instead of these procedures at any time they wish. The proposed solution may be different from an outcome determined by a court.

In the first instance, any complaint **must be brought** to the attention of your chosen Funeral Director, setting out all the facts in writing to them as soon as possible. Under the Code of Practice, the Funeral Director has a duty to acknowledge, investigate and respond in detail to your complaint as quickly as practically possible.

If you are not satisfied with the response you receive from the Funeral Director or if you believe the matter needs to be more formally investigated, then you can refer your complaint to the Society's Professional Standards Committee.

The SAIF Complaints Form needs to be completed and accompanied by all associated correspondence. If you are not the client (the person who entered into the arrangements with the company) but wish to provide assistance, we require written permission from the client for you to proceed on their behalf.

Referring Complaints to the Society's Professional Standards Committee.

- An application to SAIF is free of charge.
- All such referrals should be made within 12 months following receipt of the response from the funeral director.
- The complaints form which can be found by visiting www.saif.org.uk/about-saif/complaints or by emailing standards@saif.org.uk or phoning 0345 230 6777 and accompanying paperwork that is relevant to the complaint can be emailed to standards@saif.org.uk or posted to Professional Standards, SAIF Business Centre, 3 Bullfields, Sawbridgeworth, Hertfordshire, CM21 9DB.

Reasons where SAIF will not investigate a complaint.

There are reasons when SAIF may not investigate a complaint as follows:

- If the company is not a member of the trade association
- If they are also a member of the NAFD and the complaint is already under investigation or has been adjudicated through the NAFD's complaint process.
- If legal proceedings have already commenced
- If the complaint relates to advertising /social media /defamation as this needs to be addressed by the Advertising Standards Authority
- If the complainant is not the client. (*The exception is if authority in writing by the client is received with the complaint*). Any other complaints received which are not from the client. *

Reasons where SAIF will not investigate a complaint cont...

- If the response from the funeral director to which the complaint refers was over 12 months *
 - If the complaint has not been addressed with the funeral director initially
 - Where a complaint arises that were included and delivered under a funeral plan. You need to contact the plan provider in the first instance.
 - Where the complainant posts about the complaint or refuses to removal potentially prejudicial content on social media or other online platforms before the investigation process is complete
 - If the complaint is frivolous or vexatious
- * In exceptional circumstances and with the discretion of the Standards Chairman.*

Where a complaint is submitted to Professional Standards, and it is apparent (or subsequently) becomes apparent) that it cannot be dealt with because of one of the above provisions then both parties will promptly be advised.

In the event that SAIF Professional Standards becomes aware of the complaint progressing through the courts, which may affect the outcome of a decision, the complainant will be advised and given the option to proceed with the complaint process or place their complaint on hold pending the outcome of the court case.

As part of the process neither the funeral director or complainant are not obliged to obtain independent advice or be represented or assisted by a third party, unless they choose to do so. They also do not need to seek legal advice or representation at any stage of the ADR procedure.

ADR Process and Timelines

On receipt of a complaint:

- This will be passed to the member to give them the opportunity to respond.
- On receipt, this will be passed back to the complainant to provide further opportunity to respond.
- This continues until both parties have had the opportunity to provide their responses or where SAIF deems that both parties have provided sufficient responses – this will be classified as the 'full complaint file'.
- Each party has 15 days (in exceptional circumstances and on a case-by-case basis this may be extended) to respond.
- Once the ADR process has started, **only** the complainant can withdraw from the process at any time by writing to the Standards Committee.
- If a conflict of interest arises, please refer to the Policy under 'Further Information'.
- The 'full complaints file' will then be forwarded to a representative of the Standards Committee for investigation where they will have 90 days to investigate, conciliate and arbitrate. If an extension is required, then both parties will be advised.



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- In considering any complaint, the Committee Representative shall consider the requirements of SAIF's Code of Practice, best practice in the profession, consumer law and other legislative requirements, such as the CMA Legal Orders 2021.
- The outcome decided by the Professional Standards will be notified in writing to both parties, including the grounds on which the outcome was decided. The outcome is binding on both parties who must comply promptly with any award made by the Professional Standards Committee within the timescales provided, with reasonable time to reflect on the decision by both parties.

In Conclusion

Once the Review Procedure has been completed, no further steps can be taken by any Party under these Rules. Any party considering the possibility of an appeal to the courts, if indeed such an appeal is legally possible, is strongly advised to seek legal advice.

Should you have any further questions or concerns, please do contact us at the SAIF Business Centre:

Tel no: (01279) 726777 Fax no: (01279) 726300

E-mail Address: standards@saif.org.uk

The National Society of Allied and Independent Funeral Directors
SAIF Business Centre, 3 Bullfields, Sawbridgeworth, Herts CM21
9DB

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Further Information

Appointment of Standards Committee

- Complaints about members shall only be considered by a Standards Committee Representative
- Representatives are appointed if they can demonstrate the following:
 - Experience within the funeral profession
 - Consumer law training
- A representative shall be appointed and remain in post indefinitely until they decide to step down or asked to step down by the National Executive Committee. A representative can be a member of the National & Scottish Executive Committee, or a funeral director referred to the Standards Committee by the Executive Committee (s)
- Standards Representative shall discharge their duties in a way that is unbiased to both parties in the dispute and their representatives.
- ADR officials are not remunerated, nor receive bonuses based on the outcome of the complaint.

Our Standards Committee consists of 1 Chair and 8 representatives who are all experienced practising funeral directors and members of SAIF.

SAIF's Professional Standards Committee are committed to providing a high standard of service dealing with everyone in a way that is fair and impartial. If you are dissatisfied with the arrangements that we have made for ensuring that a conflict of interest has been dealt with appropriately, please see further information on our website www.saif.org.uk.

Complaint Accessibility

SAIF can only accept complaints that are in English, and any response will be provided in English.

This complaints procedure is related to SAIF members based in England, Wales, Scotland & Northern Ireland.

Conflicts of Interest Policy

SAIF has a policy to address conflicts of interest to ensure that there remain impartiality, integrity and good ethical practice.

All of the Standards Committee are required to disclose as soon as possible any reasons and rationale as to why they are unable to investigate and adjudicate on a complaint.

The reasons include but not limited to:

- A funeral director that is within their local region or that they have a close working relationship.
- They have acted (either personally or officially) in any capacity other than as a neutral in another process for any of the parties.
- The complaint is about their services or involves or member of their family

A log of declared conflicts of interest is maintained.

The representative will cease any involvement and the complaint passed to another committee member. If no alternative committee member can be found, then it will be passed to the Chief Executive to investigate and adjudicate. In exceptional circumstances the complaint may be passed to SAIF's Executive Committee if serious action needs to be taken against the SAIF member.

If it is not possible to appoint another representative who does not have a conflict of interest, then a proposal shall be put to both parties for the dispute to be heard by another ADR organisation.

Where it is not possible to transfer the complaint to another ADR organisation, both parties shall be notified, along with the conflict-of-interest details. Either or both parties can object to the involvement of the Standards representative and in that event the complaint cannot be considered.