

DBF Funeral Fees waiver

Questions and Queries raised since Bishop Julian's letter to incumbents, curates and priests with Permission to Officiate (PTO) on Tuesday 14 April 2020

Why did the DBF Standing Committee choose to waive the Funeral Fees?

7 years ago, General Synod changed the way fees are levied and based the fee on a calculation of the hours of work that a priest will put into an occasional office. This was when the level of fees rose enormously. The rationale that lay behind this new fee measure leaves us now in a very difficult position. Having based the fee on the hours 'worked' by the priest, we are now likely to be in the position where we cannot make face-to-face funeral visits and where funerals will be increasingly short and attended by a handful of people which means that those hours are hugely reduced. It may eventually be just the priest on a rota at the crematorium if the virus really gets a hold. Charging a fee of £199 for such minimal ministry is very hard to justify.

Were the church to go on charging fees at this rate during a national crisis, we run a very high risk that the Church of England could very quickly be publicly accused of profiteering at a time of national grief.

Won't the PCC end up paying for this as DBF Fees are deducted from Parish Share?

For 2020 the Parish Share calculation changed to use the last completed year of DBF Fees paid, so for this year's share the DBF Fees earned in 2018 were deducted from the calculated assessment to arrive at the request for Parish Share.

The DBF Fees earned in 2020 would have been used to reduce the 2022 parish share. At this point in time we do not know the full effect the COVID 19 virus will have on the Diocese (parishes, DBF and DBE) or its finances. The DBF has already committed significant reserves to support parishes as part of the parish share budget and the effect of waiving the fees will be considered alongside the other effects when setting the share request for 2022.

Parishes can always make use of parish share meetings to adjust their request if the effect of waiving fees has caused a parish to be unable to meet its request.

This is a temporary suspension of DBF funeral fee collection and not a permanent decision. It will be reviewed on a monthly basis and at some point, we will return to levying fees in the normal way, so it is likely to only affect a proportion of the fee income for the year.

Why was there no consultation with clergy/parishes before the decision was made?

In a time of crisis, it is proving necessary to make decisions very quickly and this does mean that on occasions the usual methods of consultation are not being employed. This is not a new way of working but is necessitated simply by what the nation (and this Diocese) is enduring at this time.

What about PTO clergy who take funerals?

PTO clergy are normally allowed by the DBF to retain 80% of the DBF Fee. As the DBF is waiving the fee the PTO clergy will not be able to retain a fee for taking a funeral. We hope that PTO's will understand the decision to waive the fee.

What is the effect on funeral directors?

There is no reason why funeral directors should not go on levying fair fees for the services they offers to families, and the fact that the final bill presented to families will be £199 lower should be good news for both the funeral director and the family. In recent years we have been losing huge amounts of fees income because of 'secular' celebrants and our hope is that this will be a moment when we can re-establish good working relationships with funeral directors and turn the tide on this.

I've already received the fees for funerals in the period just after the letter, do I have to refund them?

No, the waiving of fees is for future agreements, you do not need to change contracts for service already entered into.

What fees are covered in the waiver?

The fees detailed in the section of the Parochial Fees table titled "Funerals and Burials of Person aged 18 Years or More". Specifically, "Section B No service in church" and includes fees for crematorium services. It is for each PCC to make the decision about its own fees – the waiver refers to the DBF element of the fees. Fees for necessary services such as grave digging are not affected by the waiver.

Is it legal for the DBF to waive the fees due to it?

Fr Alex McGregor, who is the chief legal officer for the Church of England has advised thus:

"Parochial fees are payable under Parochial Fees Orders made under section 1 of the Ecclesiastical Fees Measure 1986. The fees legally belong to the DBF or the PCC (as the case may be). That section empowers incumbents and priests in charge to waive fees in particular cases. A blanket waiver could only be granted by the body to whom the fees legally belong. It would be lawful for a DBF to decide to waive any fees due to it provided that the trustees were satisfied that doing so amounted to acting prudently in the best interests of the charity. In deciding whether they are satisfied of that, they should of course take account of the financial implications of waiving the fees but they are also entitled to take account of other factors including how waiver would further the charity's objects that are concerned with promoting the mission of the Church of England."

What if the deceased person had a funeral plan?

The fee should be accepted by the PCC. The incumbent should then get in touch with the family to see if they would like the fee returned to them or to be given as a gift to the PCC in memory of the person who has died.

The burial of ashes normally takes place later, sometimes even years later. Is the fee, even if the burial occurred after the lockdown, being waived?

The waiving of fees is for the time period when usual pastoral care cannot take place. It will be for funerals arranged within that period, not for future arrangements for burial of ashes of people who died from Covid 19

Are there fees for memorial services that families may request after the lockdown ends?

The fees for memorials are under the remit of the PCC, although we would hope these would be waived.

Guidance from the Fees table

*Statutory fees are only prescribed for matters in respect of which parishioners have a legal right. Not all services come into this category, for example, funerals where there is a period of more than 48 hours between the funeral service and the cremation and between the cremation and the disposal of ashes. This also applies to special services **such as memorial services** and services of blessing and dedication following a civil marriage. The Archbishops' Council recommends that, where a memorial service is on a similar scale to a funeral service, or a service of blessing and dedication following a civil marriage or a renewal of marriage vows is on a scale equivalent to a wedding service, the PCC fee should be based on the statutory fee for the service, with the PCC receiving the equivalent of the combined DBF and PCC fee.*