

POLICY TITLE

Memorial Safety Policy

NEXT REVISION DUE

January 2025 (Or earlier if change in legislation)

REPLACES POLICY

September 2014

POLICY AIM

This policy has been produced to set out Skegness Town Council's (the council) position with regard to memorial safety, the responsibilities of the Council, its contractors, memorial masons and Deed Holders. This policy is a sub policy of the Cemetery Policy and replaces any provisions relating to memorial safety.

EXECUTIVE SUMMARY

The policy provides an overview of the actions that will be taken to minimise risk to users of the cemeteries and churchyards for which the Council are responsible.

Memorials have been erected at the head of graves for many years as a permanent reminder of those buried within. It is often wrongly assumed that memorials are permanent structures, installed to the highest standards, and will last forever without need for repair.

Unfortunately, this assumption has cost the lives of eight people nationally over the last 40 years, most of whom have been children, and there have been countless accidents ranging from bruising to severe crush injuries and bone breakages. Taking into account the number of memorials nationally the risk of injury still remains extremely low.

Local authorities now have to tackle years of neglect and in some cases poor workmanship. The memorials do not belong to the council; they remain the property and the responsibility of the family of the deceased (Deed Holder to the Exclusive Rights of Burial).

POLICY STATEMENT

Responsibilities required

The following parties have responsibility for memorial safety in Council cemeteries:

The Council has health and safety responsibilities to its employees, contractors and visitors to cemeteries. The council has a responsibility to staff (Section 2 Health and Safety at Work Act 1974) and a responsibility to visitors (Section 3 Health and Safety at Work Act 1974). The Management of Health and Safety at Work Regulations 1999 places a legal duty on the council to assess the risks from cemetery structures and work activities and ensure that the risks are controlled.

The Council has a general duty under the Local Authorities Cemetery Order to maintain the burial ground in good order.

A monumental mason has the responsibility to work in accordance with the council's conditions and specifications for memorials as described in the Cemeteries' Handbook. Only memorial masons registered through the BRAMM (British Register of Accredited Memorial Mason) or NAMM may install or repair memorials.

There will be a rolling programme of testing and this includes recently installed memorials.

The Deed, License or Permit Holder, or successor in title, of a memorial (usually a family member of the deceased) has the ultimate responsibility to maintain it so as not to present a hazard to themselves, members of the public or cemetery staff, and as such are therefore responsible and liable for all expenditure incurred to make safe their memorial in the event that their memorial is found to be unsafe or dangerous condition. This is not the legal responsibility of the council. However, it is often difficult or impossible to identify or trace owners especially where considerable time has elapsed since installation and therefore it can be expected that some costs relating to "making safe" will be incurred.

Notice of intent

Prior to any memorials being inspected, reasonable steps will be taken by the council to inform grave owners, Deed Holders or successors in title, and members of the public, of the intention to inspect memorials and reducing the risk posed by unsafe memorials.

This will involve:

- Giving advance formal notice on notice boards, the Council website and social media of any inspection regime commencing.
- Publishing details of the assessment and methodology on the council's website.
- Giving a public demonstration, when required, at one of the cemeteries or churchyards involved in the assessment process. This will usually be at a designated publicised open day
- Placing public notices on the cemetery gates and in prominent locations elsewhere in the cemetery affected by the assessment regime.

Memorial Fixing

It is imperative that mistakes from the past are not repeated and all works to new and repaired memorials are carried out to the industry standard from now on.

In order that the industry standards are met it is necessary to regulate both the memorial masons and the methodology of memorial works. The council understands that the memorial masons are an important partner to the cemetery service, therefore a more formal partnership and safer system of work will be implemented in the form of the memorial masons registration scheme.

Companies or individuals that are not registered on this scheme will not be permitted to carry out any memorial works in any of the council's controlled cemeteries.

- **These registered masons will use the latest national standards laid down by the National Association of Memorial Masons irrespective of whether works are being carried out on new or existing memorials.**

Existing Memorials

The problem with existing memorials that are insecure, is that historically masons did not fix memorials to any industry standards and for many years this was accepted by the Burial Authority. Often older Churchyard monolith headstones, (memorials that are sunk a third of their height into the ground) can be far more stable than their modern multi block contemporaries.

Formal inspection programme

All individuals carrying out memorial safety inspections shall be trained by the National Association of Memorial Masons and obtain certificates which shall be held on their personnel file.

Information notices regarding all inspections shall be placed on the notice boards within the cemetery grounds at appropriate locations.

The use of a topple testing device

Topple testing devices shall not be used and only hand testing is permitted

Testing Results Categorisation

A simple Red Amber Green (RAG) system will be used to record memorial condition.

RED – The memorial is unsafe and an immediate response is required to make safe.

AMBER – The memorial is under caution and either repair or re-inspection is required within a time recorded by the inspector.

GREEN – The memorial is considered acceptable at the time of inspection and will not need to be inspected again for 5 years.

Category 1 memorials

Memorials up to 48 inches/610mm in height will first be visually inspected and then will be physically checked to ensure that all joints are sound and that the memorial is stable on its plinth.

Make safe - category 1 memorials

- Temporary strapping to post with notice (for one year)
- Notify grave deed holder where possible.
- Laying flat, flush with ground level when no other viable option is available
- Re-inspect in one year

Category 2 memorials

Memorials above 48 inches/610mm but not exceeding 78 inches/1980mm in height will first be inspected visually and then hand tested as per the training received by NAMM.

Make safe - category 2 memorials

- Temporary strapping to post with notice (for one year)
- Notify grave deed holder where possible
- Laying flat flush with ground or burying to one third depth (without obscuring inscription) when no other viable option is available
- Re-inspect in one year

Category 3 memorials

Memorials above 78 inches/1980mm in height will be first visually checked and if no problems are noted then no further action is required; however, if a memorial is deemed unsafe then a further check will be carried out by a suitably qualified person such as a structural surveyor. The cost of this will be the responsibility of the grave deed holder.

Memorials found to have failed this inspection will be made safe by:

Make safe - category 3 memorials

- Cordoning off, for larger memorials category 3, that fail the visual test. The cordon will need to cover the fall radius of the highest point of the memorial and not just the memorial itself.
- Notify grave deed holder where possible
- Re-inspect in one year

Rolling programme of inspections

Memorials which fail the test and are temporarily made safe, will be inspected again one year from the make safe date to ascertain whether they have been repaired a stonemason instructed by the by the grave deed owner. Informal visual inspections will also be carried out by council staff during their normal working days i.e. locally to where graves are being dug and grass cutting operations are taking place; should any memorials fail these random visual tests the employee will report their findings to the Town Clerk's Office.

Communication

The council is aware that memorial testing is a sensitive issue for those involved. Regular communication will be maintained so that the general public, staff and members should be aware and understand each stage of the testing process. Communication will take place through:

The council's website and social media

Signage within cemeteries and on Council notice boards

Information leaflets and displays in the reception area

The Council will attempt to make contact with the person responsible for the grave (usually family member of the deceased) when a memorial fails a safety inspection. Where families have issues around affordability of repairs the Council will work with the family to find an affordable solution to making the memorial safe.

IMPLEMENTATION

Activity in respect of this policy will be reported as part of the Quarterly Governance Report

MONITORING

The policy will be monitored in the following ways:

MONITORING ACTIVITY	PERSON RESPONSIBLE
Testing in accordance with Policy	Town Clerk
Notices	Deputy Town Clerk
Associated Risks	Management Committee and Town Clerk

POLICY CONSULTATION

Management Committee Committee

POLICY APPROVAL

Approved 29th January 2020

RELATED POLICIES & STRATEGIES

Local Authorities Cemetery Order 1977
Cemetery Handbook 2017