



CEMETERIES

POLICY FOR THE MANAGEMENT OF MEMORIALS

Introduction

This policy has been produced to set out South Molton Town Council's position with regard to the management of memorials, memorial safety, the responsibilities of the Town Council, its Contractors, memorial masons and grave owners.

The aim of the policy is to remove the risk from unstable memorials whilst preserving the special nature of the sites, and to ensure that the cemeteries are safe, attractive and fitting places for people to visit and work in.

The issue of unsafe memorials was highlighted by a number of deaths and serious accidents in cemeteries in the past two decades. Many burial authorities responded to the issue by laying flat any memorial that posed a threat to health and safety. Such action brought much criticism, resulting in a report by the Local Government Ombudsman and subsequent guidance from the Ministry of Justice. Both recommend a proportionate risk-based approach to managing the safety of memorials. The Institute of Cemetery and Crematorium Management also produced guidelines on the management of memorials. The three publications have been used to help formulate the Council's own policy.

Specialist consultants may be used to carry out the testing in place of cemetery staff.

Responsibilities

The following parties have responsibility for memorial safety in the South Molton cemetery:

- The Council has a responsibility for the health and safety of its employees, contractors and visitors to the cemetery, as enshrined in the 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 in cemeteries and ensure that the risks are controlled. This means that all memorials in the cemetery should be routinely tested for stability, and steps taken to remove the risk from any that are found to be unstable. The Council is not responsible for the maintenance of individual memorials other than ensuring that they do not present a danger to visitors and workers in the cemetery.
- Memorial masons have a responsibility for ensuring that all memorials they install comply with the British Standard (BS8415 – Monuments within burial grounds and memorial sites. Specification) and any relevant industry codes of practice, (eg the National Association of Memorial Mason's Code of Working Practice and the British Register of Accredited Memorial Mason's Blue Book). Memorial masons must also work in compliance with the Council's own rules and regulations. To be eligible to work in the South Molton Town Council Cemetery a memorial mason's firm must be registered with the British Register of Accredited Memorial Masons (BRAMM), and a memorial fixer must hold a BRAMM fixer licence or work under the supervision of a BRAMM fixer licence holder.

- The owner of the Exclusive Right of Burial (the grave owner) is responsible for maintaining the memorial in good order, and for complying with the Council's rules and regulations for cemeteries. If a memorial is damaged or becomes unsafe, it is the grave owner's responsibility to have it repaired or re-fixed to current industry standards. Any memorial mason appointed by the grave owner to carry out work on a memorial must be registered with BRAMM.

Scope of the Policy

The management of memorials falls into two distinct categories:

- Existing Memorials
- Future Memorials

A. Existing Memorials

General Risk Assessment

A general site risk assessment with regard to memorials is the starting point for the memorial management system.

The following factors were considered for the cemeteries:

Sizes of Memorials Present

It is reasonable to state that the height and size of a memorial directly relates to its potential to do harm. A memorial over 1 meter in height has the potential to cause a death should it fall on an unsuspecting person whereas a modern lawn memorial of 1 meter or under may not cause a death but could cause serious injury. Therefore it would follow that the major hazards are represented by those memorials over 1 meter in height and that these should be inspected and dealt with at the start of the inspection programme. Once these memorials have been inspected and those found to be unstable are made safe a second sweep of memorials less than 1 meter should be commenced.

It is considered that memorials over 2.5 meters in height may require detailed inspection by a structural engineer. However, professional persons carrying out inspections will carry out a full visual examination of these memorials and cordon off any that show signs of potential instability.

Frequency of Visitation by the Public

It is reasonable to state that in a heavily visited cemetery the potential exists for more people to come into contact with potentially unstable memorials. It follows that volume of visitation must be considered when planning the inspection regime.

Level of Vandalism/Environment

Vandalism in cemeteries can lead to an increase in the number of unstable memorials. The immediate environment in which the memorial is situated has also been taken into account as this can have an impact on stability, eg the overall type of memorials fixed in the area (lawn type, traditional etc); sloping ground; proximity of tree roots; overgrowth by ivy etc.

The initial inspection regime will be divided into the following phases:-

1. Inspect and make safe where necessary all memorials between 1.0 metre and 2.5 meters in height and visually inspect only all memorials over a height of 2.5 metres with cordoning off of those considered to be hazardous.
2. Simultaneously (if possible) with 1 arrange inspection of all memorials over a height of 2.5 meters by a structural engineer and make safe any identified as being hazardous via the use of a specialist company.

3. Inspect and make safe where necessary all memorials of 1 meter and under

The inspection of each memorial will include a full visual assessment, hand-testing, recording of findings, immediate actions taken and future actions required.

A record of each memorial, including those found to be in a good and stable condition, will be produced following which the records will be input onto the office administration system for production of works lists for follow-up actions and notification to grave owners.

Consecrated Ground

The Exeter Diocesan Registry has confirmed that they would not require a Faculty to authorise the stability testing or making safe works as they consider this to come under the general work of maintaining a cemetery.

Raising Awareness

General

Before the memorial inspection programme begins, it is vital that awareness is raised among the local community. Several local authorities were heavily criticised by the Local Government Ombudsman for failing to inform the public about their memorial testing programmes, causing much unnecessary concern and distress.

Signs on the cemetery noticeboards and at various points around the cemetery will inform visitors of the proposed and ongoing works. The signs will include clear information about what is happening, as well as contact details and sources of further information. A sign will also be placed on each memorial that is identified as unsafe, inviting the owner or person visiting to contact the Council to find out how to proceed to make the memorial safe. A letter will also be sent to the registered address of the grave owner, where this is in the cemetery records.

A notice will be placed in the local newspaper for two consecutive weeks in advance of the works to try and reach as many people as possible.

Anybody who wishes to witness the testing of a memorial may do so by prior appointment.

Inspections

General

A systematic process will take place from section to section using statutory plans in order to ensure that all memorials receive appropriate attention.

All inspectors will receive full and comprehensive training in the processes of visual inspection and testing of memorials. If specialist consultants are used, South Molton Town Council will ensure that they are appropriately qualified and experienced and carry adequate public liability insurance.

Each memorial will receive a full visual inspection in order to alert the inspector to any potential problems prior to testing taking place. Findings from the visual inspection will be recorded.

The results of a visual inspection of a memorial are used to assess the risks that might be posed by that particular memorial. The opinion of the inspector is confirmed or otherwise by the physical testing.

In certain circumstances and in accordance with findings memorials may be categorised for re-inspection. Re-inspection categories are discussed later in this document.

Inspectors will physically test only those memorials under a height of 2.5 meters. Memorials over 2.5 meters will receive a full visual inspection with any immediate action required being limited to cordoning off pending inspection and receipt of qualified advice from a structural engineer.

Following visual inspection of a memorial it will be tested by hand by the application of an increasing pressure to a maximum force of 25kn. This test force of 25kn is currently the industry accepted standard for existing memorials.

Specific guidance and information with regard testing of memorials is contained within the risk assessment and safe system of work, which follows later in this document.

On finding an unstable memorial immediate action must be taken in order to eliminate the hazard or prevent any person coming into contact with the hazard pending its elimination. Immediate actions could include cordoning off, temporarily supporting, laying flat or placing a notice on the grave, but consideration will be given to the severity of the risk and the likely impact the action will have on the appearance of the cemetery and the potential to cause distress to mourners. Any immediate action will be followed up by an attempt to contact the registered grave owner to give them their options for making the memorial safe.

Testing will not take place during temperatures below freezing as this could give a false test result (water in any gaps in the memorial joints could freeze and provide adhesion that would not be present in thaw conditions).

The definition of an unsafe memorial is one that starts to move when hand pressure is applied, and would continue to move and fall if the pressure is maintained. The hand test is carried out to equate to up to 25kn of force, which is the current industry recommended standard (as specified by BS8415:2005 A2:2012). It is possible for a memorial to move when pressure is applied, but not be unsafe, ie it would not fall if pressure is maintained. This may be because the memorial is fitted with a ground anchor type fixing.

A general risk assessment relating to inspectors is contained in the following table.

It should be noted that members of the public and others are exposed to the risks identified in items 1 – 6 in the table. The actions identified * thus in the table will eliminate or significantly reduce risk to members of the public and others.

Memorial Inspection Risk Assessments

HAZARD	RISK	TYPE OF INJURY	ACTION TO REDUCE / ELIMINATE RISK
1. Unstable vertical structure	Fall of structure Risk is increased in relation to size of structure	Impact /crush /fatality Severity increases in relation to size of structure	Stand to side when testing Check area and make sure visitors, other workers etc are not in the vicinity *Take and record immediate action to prevent any person coming into contact with hazard Report and record any further actions that are required to eliminate the risk
2. Detached components	Trip	Impact injuries, sprains, contusions, cuts	Vigilance. *Stack detached components on landing/foundation
3. Small memorials (tablets, vases etc)	Trip	Impact injuries, sprains, contusions, cuts	Vigilance. *Grass cutting *Raise / erect on slab
4. Uneven ground	Trip	Impact injuries, sprains, contusions, cuts	Vigilance. *Report subsidence for re-instatement
5. Glass jars	Trip/Fall onto glass object/ Risk of breakage	Cuts, lacerations	Log items for removal. Report for removal. (Regulations)
6. Unauthorised memorials, fences etc	Trip/Fall onto fences	Impact injuries, puncture wounds from fall onto fence	Log items. *Report for removal (Regulations)
7. Aggressive behaviour	Physical assault	All categories of injury	Vacate area. Report to senior manager. Complete incident form. Public awareness campaign relating to memorial management.

Personal Protective equipment: Wear safety boots at all times. Safety Helmet to be worn when visually inspecting memorials over 2.5 meters in height. Protective gloves to be worn when handling memorial components or glass objects.

Visual Inspection

Prior to any physical testing of a memorial a full visual examination will take place. The visual inspection will highlight any visible faults, such as leaning or cracking, which may indicate that the memorial will fail the stability test and thus lead the inspector to take a cautious approach. The results of the visual inspection will be recorded.

Hand Testing

Following the visual inspection a hand test will be carried out by the inspector.

All memorials up to a height of 2.5 meters will be tested for stability by inspectors. All memorials above 2.5 meters in height will receive visual inspection only with immediate action limited to cordoning off pending further inspection by a structural engineer.

Inspectors will wear appropriate safety footwear. A safety helmet will be worn when inspecting memorials over 2.5 meters in height and testing memorials between 1.5 and 2.5 meters in height.

The inspector will stand to the side of the memorial being tested and apply pressure in a steady, gently building forward motion. Memorials will never be pulled toward the inspector.

The inspector will remain vigilant and ensure that no other person stands within the radius of fall of a memorial being tested.

The inspector will cease testing a memorial should movement be detected before reaching the maximum test loading.

The definition of an unsafe memorial is one that moves and would continue to fall when a pressure of up to 25kn is applied. Such memorials must be the subject of immediate action to remove the risk that they pose. Immediate actions are discussed below.

It is possible for some memorials to exhibit movement when a force is applied, but for them to be safe, e.g. when a ground anchor is fitted but the cement joint has deteriorated. Such memorials will not fall over, but the owner should be made aware of the problem so that cosmetic repairs can be carried out by the memorial mason.

Memorials that are found to be stable will be judged using the results of the visual inspection, current state of deterioration and possible further deterioration prior to placement in a re-inspection category.

The flow chart contained on the following page expands the inspection regime and indicates factors affecting the placement of memorials in re-inspection categories.

memorials over 2.5 meters in height commencing with those identified by the inspector as possibly posing a hazard.

Actions

Immediate Actions

Whenever a memorial that poses an immediate danger is identified South Molton Town Council will take immediate action to eliminate the hazard or prevent any person coming into contact with the hazard.

Immediate action is limited to placing a notice on the grave, cordoning off or temporarily supporting the memorial. Immediate actions will be recorded together with further actions that are required. This information will be used to compile works lists for further actions designed to eliminate the hazards.

Immediate actions such as cordoning off or installing supports are only temporary measures and further actions as described below will be taken to eliminate the hazard.

It is in the best interest of the authority to carry out further actions required as soon as is practicably possible. Any delay in taking further actions will mean that notices, supports or cordons that have been installed will require inspection to ensure continued security until such time as further actions are taken.

Further Actions

South Molton Town Council staff will contact the registered owner of any grave to inform them of the stability problems and provide options for dealing with these. In the event that the owner does not respond, the Council may take further action to make the memorial safe. These further actions may include converting the memorial to a monolith type by burying one third of it in the ground; repairing the memorial and seeking to recover the cost from the grave owner; laying the memorial flat and sinking it slightly into the ground so that it doesn't form a trip hazard; removing the memorial from the cemetery. Heritage, aesthetic and moral considerations will be taken into account when deciding on further actions for each memorial identified as unsafe.

Council staff will only tackle memorials of a height less than 2.5 meters. A specialist company will be contracted to make safe those memorials that are of a height greater than 2.5 meters that have been deemed unsafe by the structural engineer.

Ongoing Testing

Each memorial will be tested at least once every five years as part of a programme of memorial stability checking. Those memorials that show signs of wear but are not unsafe will be inspected more frequently, eg yearly.

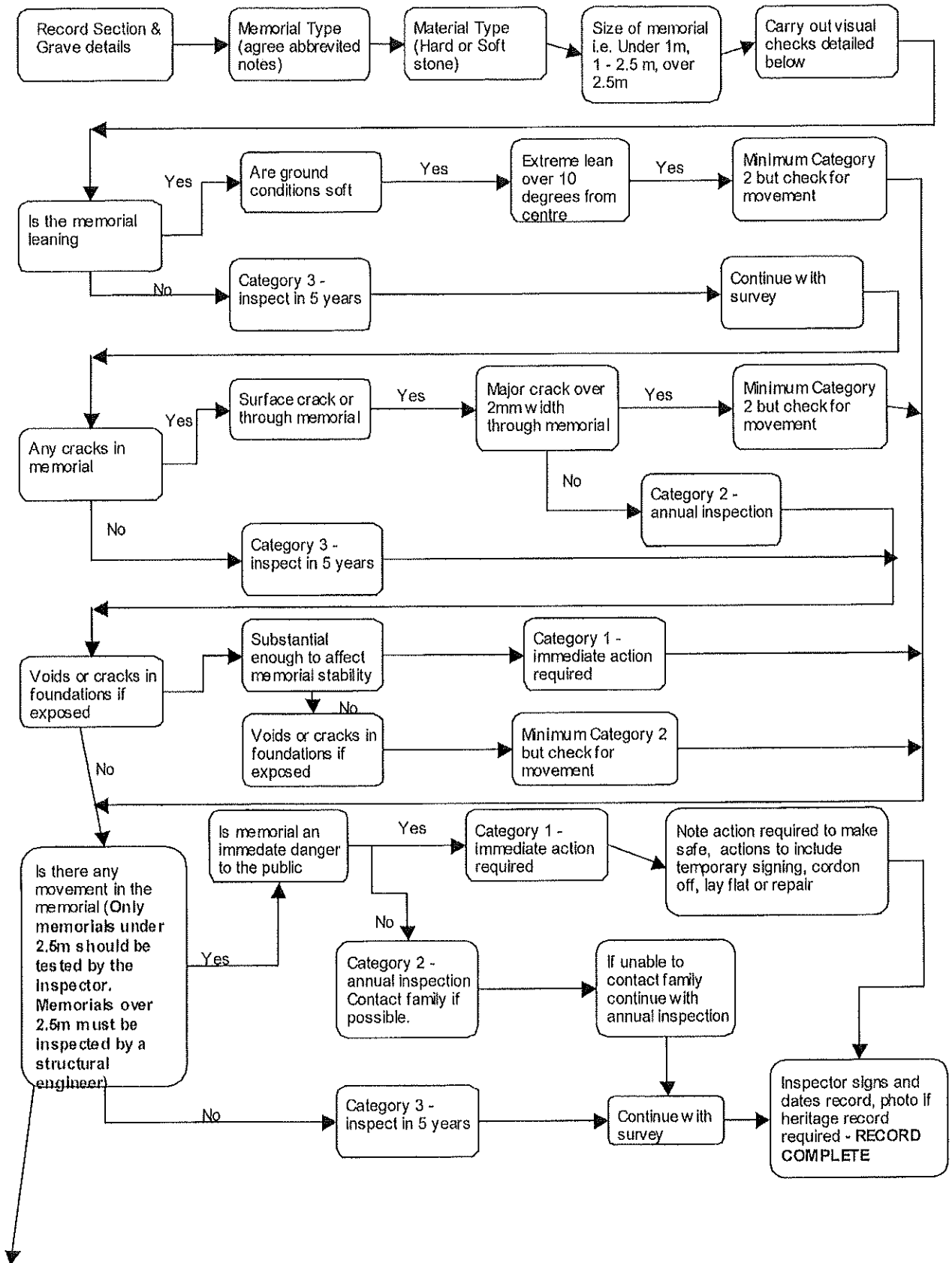
B. Future Installations

In order to prevent future problems with unstable memorials, South Molton Town Council will register as a burial authority with the British Register of Accredited Memorial Masons (BRAMM).

All Memorial Masons wishing to carry out work within South Molton Town Council cemetery must be BRAMM registered. This requires that businesses selling memorials are registered with BRAMM, with registration being renewed on an annual basis if they continue to meet the business accreditation requirements. Individuals who actually fix or carry out repairs and restoration work on memorials must hold the BRAMM Fixer Licence, or must supervise a non-Licence holder.

The aims of BRAMM are:

Inspection of Memorials – Flow Chart



NOTE: Full visual inspection only is made of memorials over 2.5 meters in height. Where visual inspection indicates that a problem may exist the inspector should take immediate action to cordon off pending full inspection by structural engineer. Structural engineer must inspect all

- Insurance – every business must be covered for public liability insurance to the value of £5 million for any one incident. Similarly, employers liability insurance cover to the value of £10 million must be obtained
- Health & Safety policy – every business must be compliant with current health and safety legislation. Proof of compliance is required in the BRAMM business accreditation requirements documentation
- Risk Assessment – every business must be compliant with current risk assessment legislation for its practical work within its workshop, cemeteries and churchyards. Proof of compliance is required in the BRAMM business accreditation requirements documentation
- Written guarantee – every business must provide its customers with a written company guarantee which, at the very least, provides a stability and safety guarantee for a minimum of 10 years. (It is strongly advised that this is tied into a 5-year maintenance check.)
- BS8415 - every business is expected to have a copy of the British Standard "Monuments within burial grounds and memorial sites – Specification BS8415: 2005 A2:2012" (or updated version currently in force) on its premises, and understand clearly what it means
- NAMM code of working practice - every business must have at least one copy of the current NAMM code of working practice on its premises and conform to it. It is also recommended that a copy of the current code of working practice be carried in any vehicles used for fixing. Masons must also ensure that they have evidence that all materials purchased in from wholesalers meet the standards defined within NAMM's code of working practice
- Spot check visits - every business may receive a random visit from a BRAMM representative to ensure on-going compliance with the BRAMM rules and regulations. 48 hours notice will be given of an intended visit and the relevant documentation must be made available to the representative for inspection. The representative may also wish to inspect the workshop to ensure that working practices, supplies, materials used, etc. are in line with current NAMM code of working practice
- Burial authority - every business must provide details of any burial authority cemeteries where it normally works. BRAMM will apply for any references it considers relevant
- Disciplinary procedures – every business or individual listed on the BRAMM register is deemed to have agreed to fully comply with the disciplinary procedures and abide by its decision in all matters.

All people who purchase the Exclusive Right of Burial in a grave plot, which includes the right to erect a memorial, will be issued with a leaflet advising them of their responsibility for ensuring the continued safety of any memorial on a grave. The leaflet will also recommend that an insurance policy is put in place to help cover any incidents relating to the memorial in the future.

Memorial masons must inform the Cemeteries Officer when they intend to enter the cemeteries to carry out memorial works. Once the works are completed, the memorial mason must return the permit to the Cemeteries Officer, who will then inspect the memorial to ensure it is fixed in the correct location and to the required standard. Any defects will be reported to the memorial mason as soon as possible, and they will be expected to put matters right within two weeks of notification.

The adoption of the BRAMM scheme, better information for grave owners and the rigorous implementation of a permit and memorial checking system will help to ensure that future memorial installations do not become problematic or unsafe.

- To establish a recognised, uniform standard of workmanship and business practice throughout the UK
- To promote BRAMM accredited businesses and registered fixers
- To ensure all businesses, fixers and burial authorities on the BRAMM register follow current health & safety guidelines to protect both the public and their employees
- To ensure that BRAMM businesses give a guarantee of the stability of their memorial
- To ensure the scheme will be effectively policed ensuring that acceptable standards of fixing are maintained
- To encourage ongoing training and education within the memorial masonry industry
- To promote a closer working relationship between memorial masons and burial authorities

For a burial authority to be a member of BRAMM they must demonstrate:

- Commitment to training – burial authorities should train their own staff to ensure they have a basic understanding of the BS8415 standard for fixing memorials, NAMM (National Association of Memorial Masons) code of working practice or similar installation specification. They should also ensure they are fully aware of burial and grave digging procedures, particularly where this could affect the stability of the memorial
- Compliance with NAMM or equivalent standards – burial authorities should ensure that any work that relates to memorial safety, e.g. provision of concrete beams, repair of memorials, removal and replacement of memorials etc. should comply to NAMM standards or equivalent
- Compliance with the ICCM Code of Safe Working Practice – all burial and grave digging procedures should be carried out in accordance with ICCM guidance or equivalent, particularly in relation to the re-instatement of graves
- Monitoring of memorial masons – a degree of monitoring will be required by the burial authority, which is still directly responsible for maintaining safe sites. Staff should be aware of the NAMM code or equivalent and should monitor the installation of memorials on a random basis. The dismantling of memorials as a form of control, is discouraged and should only be carried out in exceptional circumstances. The disciplinary process will be available to burial authorities where masons fail to comply with burial ground standards
- Responsibility for local disciplinary procedures – registered and licensed masons will be expected to work to local management rules and regulations as well as the rules of BRAMM. Where any of these are breached, the burial authority will be expected to deal with the disciplinary process as they have direct responsibility for their own burial grounds. Any action taken should be reported to BRAMM head office
- Commitment to providing undisturbed ground or concrete beams for all new memorials, where this is possible – where it is feasible, the burial authority should provide sufficient room within the grave space to ensure memorials can be erected on undisturbed ground (never to be disturbed by burial) or provide a concrete beam (to NAMM standards). It is understood that this will not be possible on some old sections and where new rows have been started in new sections

South Molton Town Council recognizes its commitments under the BRAMM scheme and is in a position to adhere to them.

For the Memorial Industry, the rules of BRAMM require that:

- Eligibility – any business or fixer who has been barred from performing work in any cemetery within the previous two years may be ineligible to be accredited within the BRAMM scheme. In these circumstances, each case will be considered individually. Businesses or Fixers must submit details of such disciplinary actions with their application. Failure to disclose details of disciplinary actions, which subsequently come to the attention of the BRAMM Board, may result in disciplinary action