



CEMETERY MEMORIAL SAFETY POLICY SEPTEMBER 2014



INTRODUCTION

The following document sets out Waverley Borough Council's policy for the management of memorial safety in its burial grounds.

The Authority currently has responsibility for the following cemeteries and closed churchyards:

Bramley Cemetery, Birtley Road, Bramley

Derby Road Cemetery, Derby Road, Haslemere

Elstead Cemetery, Thursley Road, Elstead

Shottermill Cemetery, Sunvale Avenue, Haslemere

St Andrews Churchyard, Farnham

St Bartholomews, Derby Road, Haslemere

St Johns, Farncombe

St Peter and St Paul Churchyard, Church Lane, Godalming

St Stephens, Haslemere

Weycombe Road Cemetery, Weycombe Road, Haslemere

Since Victorian times, memorials have been erected at the heads of graves, as a permanent reminder of loved ones that are buried within.

Memorials have been wrongly assumed to be permanent structures that have been installed to the highest standard and will last forever without any need for repair.

The issue of memorial safety was brought to a head following cases where memorials have toppled over and caused injuries, sometimes fatal, to members of the public. In particular, the death of a child in Yorkshire in 2000 highlighted the problem of unstable memorials.

1. RESPONSIBILITIES AND LIABILITY

- a. Primary responsibility for Health and Safety in Council owned cemeteries lies with Waverley Borough Council, as it is the burial authority in control of the cemetery. Waverley Borough Council is required to control the risks associated with any cemetery for which they have responsibility be they open or closed cemeteries.
- b. Waverley Borough Council has responsibility for the overall safety within a burial ground under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, their sites are maintained in a safe condition.
- c. In order to comply with the Health and Safety at Work Act 1974, Waverley Borough Council intends to embark on a systematic programme of memorial inspections ensuring that any memorials that pose a risk to Health and Safety are made safe.
- d. The strategic aim of this policy is to ensure that all open and closed cemeteries which are under the responsibility of Waverley Borough Council, are safe places for staff, visitors and all others who may visit or work in the cemeteries.
- e. Whilst Waverley Borough Council has overall responsibility for the safety of the cemetery, including risks from unstable memorials, it does not own the memorials. The owner of the memorial will be the grave owner.
- f. The owners of memorials are responsible for maintaining the memorial in a good condition. In many cases there is no identifiable owner however.
- g. Memorial Stonemasons must now ensure memorials are erected safely and in accordance with current standards available within the

industry – British Standard 8415, the National Association of Memorial Masons (NAMM) code of working practice and the British Register of Accredited Memorial masons Blue Book.

2. IMMEDIATE DANGER

- a. In cases of immediate danger, the Council is empowered under the provision of the Local Authorities Cemeteries Order 1977 Article 6(1) to take immediate action to make safe dangerous memorials.
- b. The Council is prohibited from taking direct action to remove an unstable memorial, which presents no immediate risk without following the Council's procedure.

3. GUIDANCE

- a. Waverley Borough Council has produced this policy with guidance from the Institute of Cemetery and Crematorium Management's (ICCM) report "Management of Memorials" April 2007, and The Local Government Ombudsman's special report "Memorial Safety in Local Authority Cemeteries".
- b. This policy has been designed to mirror the Health and Safety Executive (HSE) and Institute of Cemetery & Crematorium Management (ICCM) guidance. The first recommendation being that 'a clear policy should be in place with set standards for management of memorial stability'.

4. TRAINING

- a. HSE guidance states that 'All staff should be trained to carry out inspection of unstable memorials'.

- b. Fully trained staff of our appointed contractor will carry out all memorial inspections.
- c. Periodically, an appointed and trained Waverley Borough Council Officer will re-inspect a random sample of memorials to ascertain consistency of the inspectors. Should discrepancies be found, a meeting will be held between the management of the Council and appointed contractors to review the findings.

5. MEMORIAL STABILITY INSPECTIONS

- a. The management of memorial safety is based on a risk assessment approach and as a priority; this will involve identifying those memorials, which present an immediate and significant hazard, and making them safe (Appendix 1).
- b. Prior to commencing memorial safety inspections the Council will follow the notification procedure as set out under the Local Authorities Cemeteries Order 1977 Schedule 3 (Whilst schedule 3 relates to memorial clearance, Waverley Borough Council confirms that no memorials will be removed. The notification procedure in Schedule 3 is considered to be best practice). This includes notices around the burial ground and in local papers along with notification to any relevant Religious Authority and Commonwealth Graves Commission where required. Application will be made to the Diocese in order to obtain permission of the Church of England to carry out work on consecrated ground if necessary.
- c. The Council will carry out safety inspections on all memorials as part of a rolling programme on annual, three and five yearly cycles depending on the condition and risk assessment for each memorial.

- d. A record of all memorial inspections and the results of these inspections will be kept by the Council and will be available to view on request at the Council Offices (one week's notice will be required for each request).
- e. This inspection regime has been coordinated following consultation with the ICCM and NAMM.

6. METHOD STATEMENT

- a. Inspect and make safe where necessary all memorials between 1m and 2.5m in height.
- b. Visually inspect only memorials over 2.5m in height and any complex structures. Any memorials considered to be hazardous will be cordoned off and considered by a team comprising the Waverley Borough Council appointed Officer, Health and Safety Officer and an independent structural engineer before any permanent action is taken, as in 7d below.
- c. Inspect and make safe where necessary any memorials under 1m in height.
- d. The inspector will initially carry out a thorough visual inspection of a memorial looking for signs of decay, e.g. loose or cracked cement, and degree of any lean that may occur. The Inspector should also look for signs of soil erosion around the base of the memorial.
- e. Once an unsafe memorial has been identified, information concerning the memorial is recorded on the dangerous memorials log sheet (Appendix 2) and the memorial inspection form (Appendix 3).

- f. All relevant details, such as grave and section number, are included on the dangerous memorials log sheet, the condition of the memorial and the work required re-instating the memorial. The date of inspection is also recorded along with any intermediate action taken, such as attaching a warning (i.e. in the case of an exceptionally dangerous memorial it may be necessary to cordon off the memorial with pins and barrier tape).
- g. In some cases it may also be necessary to photograph memorials that are in a dangerous condition. This may be evident from the degree of inclination or visible cracks in cement. Photographic evidence would, of course, be useful in any future correspondence with the memorial owner. Where a memorial is unstable but where there are no visible signs of deterioration, the need for photographic evidence is dispensed with.

7. DEALING WITH MEMORIALS

- a. Data recorded on the memorial inspection form will be communicated to Waverley Borough Council via email.
- b. Where Cemetery Inspectors have assessed a memorial as showing some evidence of movement but is not in imminent danger of collapse, our contractors will inform WBC officers once the inspection of the site is complete.
- c. A warning sign is placed on the memorial informing the grave owner of the reasons for the action taken and giving them a contact telephone number for further information. A letter will be sent to the owner if identified, informing of the condition of the memorial and what remedial action is required to ensure the memorial stays safe.

- d. Where no owner can be found the Council will re-assess the memorial in a year, if the situation worsens the Council will either; lay down, or, reinstate the memorial.
- e. Where cemetery inspectors have assessed a memorial as posing an imminent danger, the contractor will contact WBC immediately, and then a contractor can be called upon to dismantle and make safe the memorial forthwith.
- f. Memorials over 2.5m in height that are found to be hazardous will be cordoned off, pending inspection and receipt of qualified advice from a structural engineer.
- g. The re-erection of the dangerous memorial remains the responsibility of the grave owner. For this reason the memorial inspection form is conveyed to an appointed WBC Officer who is then able to identify the grave owner from the cemetery records.
- h. Once identified, a standard letter is sent to grave owner by the appointed WBC Officer informing them of the dangerous state of the memorial and the remedial action taken to make the memorial safe. The letter will also inform the owner that if they wish to re-erect the memorial they must appoint a registered memorial mason and responsibility for their fees lies entirely with the grave owner and not Waverley Borough Council or the appointed contractor. Furthermore, notices can be placed around the cemetery displaying the grave and section numbers of memorials made safe.
- i. In the case of memorials that require reinstatement and no living grave owner can be traced, repairs to the memorial could be funded by Waverley Borough Council if the grave is deemed to hold historical or aesthetic value.

- j. Where memorials do not have historical or aesthetic value, Waverley Borough Council could consider laying down failed memorials if no owner can be traced.
- k. All data concerning the memorial, the original memorial inspection form, the contractors' emailed copy of the memorial inspection form and the dangerous memorials log sheet, will be filed away for reference and any future communication with grave owners.
- l. Memorials that are found to have a no risk category and pose no significant risk to public safety will be placed on a rolling programme of testing. The length of time will be determined by the inspector. In some cases, the owners or relatives of the exclusive right of burial will be contacted and advised that their memorial would benefit from reinstatement.

8. LAYING DOWN MEMORIALS

- a. Waverley Borough Council recognises the sensitive nature of burial grounds and wishes to maintain attractive cemeteries.
- b. Waverley Borough Council recognises their duty to keep the public safe, but equally understands the sensitivities of the grave owners and relatives. Permanent laying down of memorials will only take place in extreme circumstances and every attempt will be made to contact the owners or relatives of the Exclusive Rights of Burial. Where grave owners cannot be traced memorials will be permanently laid down if there is no budget for reinstatement or the memorials hold no aesthetic or historical value.

- c. If there are no other practical means of making the memorial safe or where the grave owner or relative has requested it, having first received notification of the dangerous state of the memorial, memorials will be permanently laid down in as sensitive a manner as possible
- d. Where possible (i.e. where the memorial can be dismantled) the part of the memorial posing a danger shall be laid down leaving the remainder standing.

9. INSPECTION RECORDS

- a. Memorial inspections will be recorded giving details of:
 - Date of Inspection
 - Grave plot number
 - Name(s) of deceased
 - Type of memorial
 - Condition, lean angle, stability, decay, movement etc.
 - Test – pass/fail
 - Actions required and taken
 - Details of any photographs
 - Timescale for re-inspection
- b. The records will be archived electronically.
- c. All inspection records will be held at the Waverley Borough Council offices and will be available to view if requested with one weeks notice.

Risk Assessment for the Inspection of Memorials

Monolith Memorials

Lawn sections/ low frequency visitation	Green
Away from roads/paths, seldom visited	Green
Accessible, reasonable numbers	Green
Signs of misuse in area e.g. vandalism	Green
Accessible, well visited	Green
Adjacent to well used roads and footpaths	Green
Very well visited ongoing burials in section	Green

Memorials below 3'6"

Lawn sections/ low frequency visitation	Green
Away from roads/paths, seldom visited	Green
Accessible, reasonable numbers	Green
Signs of misuse in area e.g. vandalism	Green
Accessible, well visited	Green
Adjacent to well used roads and footpaths	Green
Very well visited ongoing burials in section	Green

Memorials up to 4'

Lawn sections/ low frequency visitation	Orange
Away from roads/paths, seldom visited	Orange
Accessible, reasonable numbers	Orange
Signs of misuse in area e.g. vandalism	Red
Accessible, well visited	Red
Adjacent to well used roads and footpaths	Red
Very well visited ongoing burials in section	Red

Multi- jointed memorials

Lawn sections/ low frequency visitation	Red
Away from roads/paths, seldom visited	Red
Accessible, reasonable numbers	Red
Signs of misuse in area e.g. vandalism	Red
Accessible, well visited	Red
Adjacent to well used roads and footpaths	Red
Very well visited ongoing burials in section	Red



SAMPLE DANGEROUS MEMORIALS LOG SHEET

Cemetery: _____

Date of Inspection: _____

Section & Grave No	Condition	Work Needed	Photograph		Date	Action Taken		
			Yes	No		Warning Attached	Taped Off	Laid Down



SAMPLE MEMORIAL INSPECTION FORM

Cemetery...

Name/Names on memorial...

Section...

Grave No...

Detail of Work Required...

Date of Inspection...

Inspector...

Date Requested Action...

Time emailed...

Inspector Signature...

Owners Details...

Date Letter Sent...

Work Completed...

Authorised WBC Officer...

Signature..: