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22 August 2023	Pg 3: Item 2	ICCM requirement of ≤ 25 kg applied pressure inserted.
	Pg 4: Categorising the Risk	ICCM definition of dangerous memorial inserted. Wording amendment to Priority 1 and Priority 2 actions. ICCM Reference footnote inserted.

Hemswell Parish Council

MEMORIAL SAFETY AND INSPECTION POLICY

Hemswell Parish Council & Burial Authority

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Introduction

This policy sets out the responsibilities of Hemswell Council, its contractors, memorial masons and memorial stone owners with regard to the management, memorial safety and actions that will be taken to minimise risk to users of the civil cemetery at Hemswell Lane, Hemswell.

Responsibilities for Memorial Safety

The following parties have responsibility for memorial safety in Town/Parish cemeteries:

- **Hemswell Parish Council** has health and safety responsibilities to its employees, contractors, and visitors to its cemetery. The Council has a responsibility to staff (Section 2 Health & Safety at Work Act 1974) and a responsibility to visitors (Section 3 Health & Safety at Work Act 1974). The Management of Health & 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.
- **Monumental Masons** are responsible for ensuring that memorial stones erected are safe and secure. Their work must be in accordance with BS 8415, the standards set by the National Association of Memorial Masons (NAMM) and the conditions and specifications laid down in the Council Burial Policy.
- **The Owner, Holder of the Grant of Exclusive Right of Burial or successor in title** of a memorial is responsible for maintaining the memorial in a safe condition (as defined by standards set by NAMM/BS 8415 and applicable Health & Safety legislation) and for paying for any repairs required to ensure the memorial does not present a hazard to those visiting the cemetery.

Planning and Method of Inspection and Testing

The Parish Council adopts a risk-based and proportionate common-sense approach to inspecting and testing memorials. All inspection and testing will be carried out by appropriately trained personnel¹ who also have sufficient knowledge of the layout, usage and different type of memorials within the cemetery. This allows inspections and testing to be prioritised based on the risks posed by certain types of memorials.

Factors considered during this assessment and prioritisations are:

- **Location** – memorials close to paths or those visited regularly; areas which may attract antisocial behaviour or attract groups during unsociable hours and areas of uneven ground.

¹ Personnel or companies carrying out memorial inspections will be required to comply with the guidance set out below and to comply with guidance issued by the Institute of Cemetery and Crematorium Management. Companies are required to provide their own risk assessments and method statements for approval prior to engaging in any work.

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- **Memorial type** – multi-part memorials where joints may fail; stone or material that is readily eroded; or narrow bases which are more likely to fail than those with a wider base.
- **Age** – recent memorials should meet BS 8415, and construction be in accordance with the NAMM code of working practice and therefore be of good stability.

Inspections will take place on a plot-by-plot basis, taking into account the factors above. Where inspection and testing are being carried out to memorials in consecrated ground, it may be necessary to obtain a Faculty. This Faculty grants permission to the Parish Council to undertake safety inspection and testing and to make safe any memorial that requires safety control measures.

War graves will be inspected and tested, but any defects will be reported to the War Graves Commission for implementing repairs.

Memorials that are listed may be inspected and tested, however if repairs are required then consent will be sought via the principal Conservation Officer at West Lindsey District Council.

Notice of Intent

Prior to inspection or safety testing of any memorials being inspected, the Parish Council will take all reasonable steps to inform grave owners of the intention to inspect memorials and to mitigate or remove the danger posed by unsafe memorials.

This will involve:

- Giving advance general notice at least one month in advance of the commencement of inspection/testing, e.g., via public notices on cemetery gates, notice boards, parish magazines, etc., unless a significant risk is identified requiring immediate action.
- Using social media to provide details of the inspection location and methodology.

A memorial owner can request to be present when their memorial is inspected.

The Assessment Process

Memorial inspection and testing are carried out in two stages after completing an appropriate risk assessment of the cemetery. Appropriate personal protective equipment (PPE) must be worn by staff undertaking testing.

1. **A visual inspection** to identify signs of instability, damage or erosion to determine the risk posed by:
 - Movement of the memorial from its original position
 - Kerbs breaking apart
 - Unstable foundations
 - Leaning (especially if recent)
 - Damage / eroded bonding
 - The presence of vegetation that may cause cracks to widen.

Memorials more than 2.5M (8' 2 ½") in height must only be inspected by a structural engineer.

2. **A hand-push test** on memorials up to 2.5M (8' 2 ½") in height to assess any lateral movement following the visual inspection. A physical hand-test requires the tester to manually apply a firm and steady pressure of 25 kg or less to the memorial in different directions to determine what degree the headstone is loose.

Larger heavier memorials must not be tested in this way and the Parish Council will seek advice from a specialist memorial mason. The visual test generally determines if this advice is needed. Current guidance does not recommend the use of mechanical topple testing devices.

Categorising the Risk

The ICCM states a memorial is a dangerous or unstable memorial if will move and continue to fall to the ground with the exertion of a manual pressure of 25kg or less.²

Priority 1: For a dangerous and unstable memorial, as defined above, immediate action must be taken to make the memorial safe and prevent access to the memorial.

Temporary measures will be taken to reduce the risk of harm. The method used will be appropriate to the size and type of memorial. The options available are:

- Stakes and banding to prevent toppling – the primary method of making safe
- Sinking the memorial to an appropriate depth to make it safe (e.g. a monolith memorial)
- Cordoning off the grave space to prevent access to the grave space/memorial
- Laying the memorial flat - considered a last resort and only used when other methods are unavoidable. Any memorial laid flat must not present an additional hazard, e.g., trip hazard.

These precautions will be put in place without prior notification specifically to the grave owner or Grant holder. A notice will be placed on or within the grave space explaining the situation and giving contact details of the Parish Council.

Priority 2: A memorial which is not dangerous or unstable, as defined above, but which is not fully stable, will be monitored every 12 months.

In these cases, temporary fixing is considered unnecessary, but permanent repairs may be required. Priority 2 memorials that require repairs will display stickers or notices on or within the grave space for the Grant holders to contact the council to discuss arrangements for undertaking repairs. The Grant holder is responsible for the arrangement and payment of suitable repairs. *See section: Contacting the Owner.*

Priority 3: A memorial which is stable and safe will be re-inspected on a 5 yearly basis.

Records are kept, but no actions are required.

Documentation and Recording

A record will be kept of all memorial inspections in hard-copy or digital format with the following details:

- Name of Cemetery or Churchyard
- Cemetery Section reference
- Grave plot number
- Name(s) of deceased
- Date(s) of death
- Type of memorial
- Height of memorial
- Condition (lean angle, stability, decay, movement, etc.)
- Assessment results, including Classification of risk
- Details of reasons for failure
- Remedial actions required and taken (stabilised, notice displayed, cordoned off, laid-down, etc)
- Name of Assessor
- Date of Inspection

A record of all memorial inspections and the results of these inspections will be kept by the Parish Council and will be available to view on request.

² Institute of Cemetery and Crematorium Management (ICCM): Management of Memorials, ICCM_MM Policy Final 08 2019, pg 16. Available at https://www.iccm-uk.com/iccm/wp-content/library/iccm_MM%20Policy%20Final%2008%202019.pdf

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Contacting the Owner

If a memorial is found to be unsafe and requires permanent fixing, regardless of the category, the Parish Council will take all possible measures to locate and contact the Grant holder. Notices and lists of failed memorials will be published on village noticeboards, the Parish Council website and social media sites.

We understand the assessment process may be upsetting for relatives of the deceased or Grant holders and we aim to be proportionate and sensitive when dealing with memorials that may pose a hazard. Contact will be in the form of a letter to the grave owner using the last known address according to cemetery records or known relatives. Letters will be sent out no later than three weeks of testing and explaining the extent of the problem, options for repair, refixing and cost implications.

If a memorial must be made safe, the Grant holder will be given the opportunity to have it repaired **at their own cost**. Grant holders will need to arrange the necessary remedial work with an approved memorial mason for which the mason is likely to charge a fee. These memorial masons should undertake the repair to the current applicable standard as recommended by NAMM or equivalent. No attempt should be made to repair or remove any memorial except by a qualified memorial mason.

If the Parish Council has been unable to trace the Grant holder or grave owner, or they have not received a response to letters after it has taken such reasonable steps as it may consider necessary for that purpose, the Parish Council retains the ability to make safe the memorial by its preferred method, which may include permanently 'laying down' or removing the memorial.

Retesting and Follow-Up Inspections

Formal retesting will occur every five years.

Memorials which fail the test and are temporarily made safe will be re-inspected one year from the make-safe date to ascertain whether they have been repaired by a qualified memorial mason as instructed by the Grant 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 Parish Council.

Future Installations

The Parish Council recognises that some deterioration to stonework, foundations, and fixings due to weathering and the passage of time is inevitable. To minimise these effects for future installations, the Parish Council requires memorial masons to adhere to the National Association of Memorial Masons (NAMM) Code of Ethics and Practice or equivalent. This includes using appropriate foundations and fixings or other suitably secure methods for the installation of stone memorials, as well as the Cemetery Regulations currently in force. Masons are required to achieve the following criteria:

- Confirmation that any memorial erected conforms to British Standard 8415
- Proof of adherence to the BRAMM Blue Book and National Association of Memorial Masons Code of Working Practice.
- Proof of Public Liability Insurance cover
- The issue of a minimum guarantee for their work of ten years
- The production of appropriate risk assessments

Point of Contact

To contact the Parish Council please email: hemswellparishcouncil@gmail.com

This policy is available on the Hemswell Parish website via: <https://Hemswell.parish.lincolnshire.gov.uk/>