



TATWORTH AND FORTON PARISH COUNCIL

Memorial Safety Policy

To be reviewed every two years, or at a committee meeting immediately following any incident involving a memorial or accident.

Adopted by Cemetery Committee

Date 31 August 2023 Minute No.....38/23.....

Approved Full Council

Date...7 September 2023 Minute No.....117/23...

INTRODUCTION

Tatworth and Forton Parish Council is committed to ensuring the safety of anyone visiting or working in its cemetery and will make certain that all reasonably practicable measures are taken to provide this.

The Council's memorial safety inspection procedure is based on the guidance developed by the Ministry of Justice and the Institute of Crematorium and Cemetery Management (ICCM).

The guidance signifies good practice on the expected standard of risk management of memorials in all types of burial grounds. The guidance sets out a risk-based approach to help authorities develop a proportionate approach to managing the risk associated with memorials.

Responsibility and liability

Primary responsibility for Health and Safety in Tatworth Cemetery lies with Tatworth and Forton Parish Council.

The Council has responsibility for the overall safety within the burial grounds under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, their site is maintained in a safe condition.

In order to comply with the Health and Safety at Work Act 1974 the Council has a systematic programme of memorial inspections ensuring that any memorials that pose a risk to health and safety are made safe.

The strategic aim of this policy is to ensure that the open burial ground which is under the responsibility of the Council is a safe place for staff, visitors and all others who may visit or work in the burial ground.

Whilst the Council has overall responsibility for safety in the burial ground, including risks from unstable memorials, it does not own the memorials. The owner of the memorial will be the grave owner.

The owners of the memorials are responsible for maintaining the memorial in a good condition. In many cases there is no identifiable owner.

Memorial Stonemasons must now ensure memorials are erected safely and in accordance with 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 (BRAMM) Blue Book.

The Council has powers under the Local Authorities' Cemeteries Order 1977 (LACO) to make safe any headstones and kerbs. The Council will use the procedures specified in Schedule 3 of LACO.

There is no listed memorial within the Cemetery.

Review

This Policy will be reviewed every two years: or at a committee meeting immediately following any incident involving a memorial or accident that occurs.

PRE-INSPECTION PREPARATION

METHOD STATEMENT

Tatworth and Forton Parish Council, or its chosen contractor, will prepare a Method Statement prior to the commencement of any safety testing.

INSPECTION OPERATIVES

The Council will ensure that only authorised and competent personnel shall carry out the inspections. All such personnel will be required to read this Memorial Safety Policy and indicate their understanding and adherence to it by signing the Policy Agreement (Appendix 2).

All memorial safety inspections will be carried out by a minimum of two operatives who will work as a team unless risk assessment determines that it is safe for one operative to work alone. Operatives will recognise when specialist assistance is required, for example, where the memorial is complex or large (over 1.5 metres in height).

At least one member of the inspection team will be a competent person (competence can be described as the combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely).

Personal protective equipment shall be worn by all members of the inspection team. This will include a high visibility vest, hard hat, and foot protection.

A risk assessment for the safety of those carrying out the inspections will be completed and kept on file, along with a signed agreement that the Council's chosen procedure will be followed.

If the Council employs a suitably qualified contractor to carry out the inspection, a copy of the company's public liability insurance will be lodged with the Council.

RECORDS

All memorial inspections will be recorded on the inspection form (Appendix 1). Records of the inspections will be held indefinitely. It is acceptable for these records to be held electronically on the condition that the information is regularly backed up.

INSPECTION PROCESS

FREQUENCY OF INSPECTION

The inspection process will be comprised of the following:

- Risk Assessment
- Communication and Notice of Intent
- Visual checks
- Physical Test
- Classifying the memorial
- Actions for classified memorial

Risk Assessment

The initial risk assessment will be carried out as per the Five Step approach to risk assessments set out by the Health and Safety Executive in the UK. This will identify where there is a greater risk to those visiting or working in the cemetery and allow for prioritisation of the memorials requiring immediate examination.

Items considered in this risk assessment include:

- Location of footpaths
- Frequency of use
- Duration of use
- Types of activity adjacent

Communication and Notice of Intent

The Council is aware that the testing of memorials is a sensitive issue and will endeavour to ensure that adequate and regular communication is maintained with the general public.

Prior to any memorials being inspected the Council will:

- Ensure notices are displayed within the cemetery grounds and within notice boards. These will give details of the forthcoming inspections, advise the public of the potential dangers of memorials, provide contact details for the public should they have any queries or concerns and, where necessary, fulfil any other obligations under existing health and safety legislation.
- Ensure public notices are posted on the Parish Council's website. These will give details of the forthcoming inspections and provide contact details for the public should they have any queries or concerns. Notices shall be posted on the Council's noticeboards, website. A list of Frequently Asked Questions will be posted on the website.

VISUAL CHECKS

Memorials will undergo an initial visual check to identify if there are obvious defects or signs of instability.

Operatives will look for:

- Damaged or eroding bond
- Movement of parts of a memorial from its original position
- Kerb stones breaking apart
- Undermined or unstable foundations
- Leaning memorials – particularly if there is evidence of recent movement
- Evidence of structural damage or disturbance (eg, cracks)
- The presence of vegetation which may cause cracks to widen

If a defect or unstable memorial is observed, such memorials will then be subject to a physical test. Commonwealth War Graves will only undergo a visual check; any observable defects will be reported immediately to the War Graves Commission.

PHYSICAL TEST

If a memorial does not pass a visual check, it will be subject to a physical check. Prior to any physical test a safety assessment will take place as follows:

- An overall visual inspection of all memorials for the purpose of assessing signs of instability and as part of the overall risk assessment process. A structural engineer/Memorial Mason will inspect memorials in excess of 1500mm in height.
- A physical hand test of memorials between 625mm and 1500mm in height to assess any lateral movement following the visual inspection.
- Memorials below 625mm in height should be assessed to establish whether there is any benefit in applying any force to the memorial.

The physical testing will only take place when there is no risk to other persons and will be done using a hand test. Force testing equipment will only be used in case of dispute.

The procedure for carrying out a hand test is as follows:

- The inspection operative will stand to one side of the memorial and apply a firm but steady pressure in different directions to determine to what degree, if any, the headstone is loose.
- A gentle pressure/force should be gradually increased until a force of approximately 25kg is applied. This force should be exerted in one direction, away from the body and should be repeated from the back of the memorial. Other physical hand tests from the sides of the memorial may also be required on certain designs. The force should be applied at the apex of the memorial or as high up the memorial as can comfortably be reached.

CLASSIFYING THE MEMORIAL

At the completion of the testing process the operative will identify memorials in one of three categories:

- Category 1a) (green) - stable and not dangerous in any way; to be reassessed in 5-7 years*
- Category 1b) (green) - stable but has a lean – not considered dangerous, to be reassessed in 2 years*
- Category 1c) (green) - slight wobble but not considered dangerous; to be reassessed annually*
- Category 2 (amber) - requires immediate attention to make safe by stabilising with a stake and banding*
- Category 3 (red) - requires immediate attention to make safe by laying down the memorial within the grave space*

ACTIONS FOR CLASSIFIED MEMORIALS

Category 1a) Memorials

No action required. To be assessed in five to seven years.

Category 1b) Memorials

Assessment form completed. Lean measured. Reassess in 2 years.

Category 1c) Memorials

Assessment form completed. Lean measured. Reassess annually

Category 2 Memorials

The following action will be taken immediately:

- A Safety Notice (Appendix 4) will be placed on the memorial to warn of the unstable condition of the memorial;
- The memorial will be braced with a stake and banded;
- If possible the holder of the Exclusive Right of Burial or family will be identified and a Category 2 letter (Appendix 5) sent within seven working days. The letter will request the memorial repair is carried out within twelve weeks;
- Any repair carried out to the memorial will be at the cost to the EROB holder and must be carried out by a NAMM or BRAMM registered memorial mason in accordance with BS8415. The holder of the EROB will inform the Council when the work will be taking place and the finished work will be inspected by the Council's memorial inspector; and
- Where the holder of the EROB does not contact the Council within the twelve-week period, and no repair is arranged for the memorial, a temporary support will remain in place until the advised re-inspection date, up to a maximum of eighteen months. At the end of the eighteen-month period, the memorial will be treated as a Category 3 memorial.

Category 3 Memorials

The following action will be taken immediately:

- A Safety Notice (Appendix 4) will be placed on the memorial to warn of the immediate hazard;
- The memorial will be carefully laid flat within the grave space with the inscription visible. Larger memorials may be dismantled to remove the danger;

- Photographs of the memorial will be taken at the time of inspection and following the memorial being laid down. All photographs will be retained with the inspection records;
- The holder of the Exclusive Right of Burial will be identified and a category 3 letter (Appendix 6) sent within seven working days. The letter will request the memorial repair is carried out within twelve weeks;
- Any repair carried out to the memorial will be at the cost to the EROB holder and must be carried out by a NAMM or BRAMM registered memorial mason in accordance with BS8415. The holder of the EROB will inform the Council when the work will be taking place and the finished work will be inspected by the Council's memorial inspector; and
- Where the holder of the EROB does not contact the Council within the twelve-week period, and no repair is arranged for the memorial, the memorial will remain laid flat or sunk into the ground up to the last line of the inscription until such time as the holder of the Exclusive Right of Burial contacts the Council. If necessary, a transfer of the Exclusive Right of Burial will need to take place to enable the repair to go ahead.

It may be necessary to cordon off part of the cemetery to employees and public. In this case signage and information will be posted to give cautionary warning that the hazards will be present.

POST-INSPECTION PROCESS

REPAIR WORK

- All work to repair or place a memorial must be carried out by a NAMM or BRAMM registered monumental mason and must be installed to BS8415. A guarantee of conformity will be issued to the holder of the Exclusive Right of Burial by the mason, and a copy of this must be lodged with the Council.
- The Council will keep a list of local, qualified and registered monumental masons and this will be available from the Council office upon request. This list will be reviewed and updated annually.