

SALISBURY  
CITY COUNCIL



# **Cemetery Memorial Safety Policy**

Policy Number	Version	Owner	Doc No.	PDF No.	Date Published	Review Due	Review Team
CS037	1	DCC	60480		June 2017	June 2018	Man

**Distribution**

Internal: All SCC Staff

External: Website/Councillors/Partners

## **Introduction**

1. The following document sets out Salisbury City 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: London Road Cemetery, Devizes Road Cemetery, Lower Bemerton (2) , St Martins, St Clements, St Edmunds, St Thomas's and, in future, the new Cemetery near Fugglestone Red.
2. 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.
3. 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.

## **Responsibilities and Liability**

4. Primary responsibility for Health and Safety in Council owned and also Council maintained cemeteries lies with Salisbury City Council, as it is the burial authority in control of the cemetery. Salisbury City Council is required to control the risks associated with any cemetery for which they have responsibility be they open or closed cemeteries.
5. Salisbury City 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.
6. In order to comply with the Health and Safety at Work Act 1974, Salisbury City 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.
7. The strategic aim of this policy is to ensure that all open and closed cemeteries which are under the responsibility of Salisbury City Council, are safe places for staff, visitors and all others who may visit or work in the cemeteries.
8. Whilst Salisbury City 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.
9. The owners of memorials are responsible for maintaining the memorial in a good condition. In many cases there is however no identifiable owner.
10. 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.

## **Immediate Danger**

11. 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.
12. The Council is prohibited from taking direct action to remove an unstable memorial, which presents no immediate risk, without following the Council's procedure.

## **References**

13. Salisbury City Council has produced this policy in line with guidance from the Institute of Cemetery and Crematorium Management's (ICCM) report "Management of Memorials" April 2007, The Local Government Ombudsman's special report "Memorial Safety in Local Authority Cemeteries" and the Ministry of Justice "Managing the Safety of Burial Grounds Memorial" 2009.
14. It is recommended that a clear policy should be in place with set standards for management of memorial stability.

## **Training**

15. Only appropriately trained staff will carry out all memorial inspections.
16. Periodically, another appointed and trained Salisbury City 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 original inspector to review the findings.

## **Memorial Stability Inspections**

17. 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. The Memorial Safety Review Procedure at Annex A to this policy has full details for 2017 onward.
18. 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.
19. Whilst Schedule 3 relates to memorial clearance, Salisbury City Council confirms that no memorials will be removed. The notification procedure in Schedule 3 is considered to be best practice.
20. 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. Applications 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.
21. The Council will carry out safety inspections on all memorials. This will be the first part of a rolling programme risk assessment and inspection for memorials.

22. 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).

### **Method Statement**

23. The Council will conduct an overall risk assessment of the cemeteries with respect of memorial safety to identify areas of concern.

24. All memorials will then have a two part inspection – a visual inspection and a manual test.

25. Following this inspection action will be taken in accordance with the assessment of the memorial conditions

25.1. **Hazardous memorials** - Any memorials considered to be hazardous will be cordoned off and considered by a team comprising the Salisbury City Council appointed Officer, the Facilities Manager before any permanent action is taken

25.2. **Memorial requiring additional inspection** – these inspections will be conducted by an appropriate officer or contractor

25.3. **Satisfactory Memorials** – these will be inspected again in 5 years' time or earlier if any risk assessment indicates this requirement

26. Full details of the inspection procedure and programme are shown in Annex A - Memorial Safety Review Procedure 2017

### **Dealing with Memorials**

27. Data recorded on the Memorial Inspection Form will be reviewed by Crematorium and Cemeteries Manager (C&C Manager), Deputy City Clerk (DCC) and the Parks Manager (PM).

28. Where the inspection has assessed a memorial as showing some evidence of movement but is not in imminent danger of collapse, the inspector will inform the C&C Manager and DCC once the inspection of the site is complete.

29. A warning sign is placed on the memorial informing the grave owner of 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.

30. Where no owner can be found the Council will re-assess the memorial in a year, if the situation worsens the Council will lay down the memorial. I.e: Where cemetery inspectors have assessed a memorial as posing an imminent danger, the inspector will contact SCC management immediately. A contractor can then be called upon to dismantle and make safe the memorial forthwith.

31. 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.

32. The re-erection of the dangerous memorial remains the responsibility of the grave owner. The C&C Manager should be able to identify the grave owner from the cemetery records.

33. Once identified, a standard letter is sent to the grave owner by the appointed SCC 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 Salisbury City Council. Furthermore, notices can be placed around the cemetery displaying the grave and section numbers of memorials made safe.
34. In the case of memorials that require reinstatement and no living grave owner can be traced, repairs to the memorial could be funded by Salisbury City Council if the grave is deemed to hold historical or aesthetic value.
35. Where memorials do not have historical or aesthetic value, Salisbury City Council will lay down on the gravesite any failed memorial if the owner cannot be traced.
36. All data concerning the memorial, the original memorial inspection form, the inspectors' 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.
37. 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.

### **Laying Down Memorials**

38. Salisbury City Council recognises the sensitive nature of burial grounds and wishes to maintain attractive cemeteries.
39. Salisbury City Council recognises their duty to keep the public safe, but equally understands the sensitivities of the grave owners and relatives. The 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 unless the memorials hold an aesthetic or historical value and the Council decides to reinstate these.
40. 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
41. 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.

## **Inspection Records**

42. Memorial inspections will be recorded giving details of:

- 42.1. Date of Inspection
- 42.2. Grave/plot number Name(s) of deceased
- 42.3. Type of memorial
- 42.4. Condition, lean angle, stability, decay, movement etc.
- 42.5. Test – pass/fail
- 42.6. Actions required and taken
- 42.7. Details of any photographs
- 42.8. Timescale for re-inspection

43. The records will be archived electronically.

44. All inspection records will be held at the Salisbury City Council offices and will be available to view if requested with one weeks' notice

## **List of Annexes**

Annex A – Memorial Safety Review Procedure 2017

## **Memorial Safety Review Procedure 2017**

### **Introduction and Background**

1. SCC is required to ensure that the memorials in its cemeteries pose no risk to the public and others.
2. It has agreed its Memorial Safety Policy at Services Committee on 26 June 2017.
3. This document describes how this policy will be put into effect.

### **SCC Cemeteries and Closed Churchyards**

4. SCC has two cemeteries with memorials in London Road and Devizes Road Cemeteries. They are estimated to contain over 17,000 plots with associated memorials.
5. The last recorded informal inspection was conducted in 2010.
6. SCC also has responsibility for a number of closed churchyards at St Edmunds, St Andrews, St Martins, St Clements, St Johns and St Thomas.

### **Overview of Risk Assessment and Inspection Programme:**

#### **Risk Assessment**

7. SCC will use its experience and local knowledge to focus on those memorials most likely to present the greatest risk and conduct an overall risk assessment of the cemeteries with respect to memorial safety.
8. SCC will consider local factors, the design and style of memorial as well as environmental and historical factors.
9. The following are some of the considerations that SCC will take into account to focus and prioritise the inspection process:
  - 9.1. Memorials alongside or within a short distance of paths, are more likely to present a risk to visitors than those which are less accessible
  - 9.2. Memorials of well-known people, or memorials widely appreciated for their architecture or aesthetic qualities are also more likely to attract visitors
  - 9.3. Less frequented areas may attract anti-social behaviour, or may need greater maintenance as relatives are no longer tending memorials
  - 9.4. Memorials situated on sloping or uneven ground, may present an increased risk
  - 9.5. Multi-part memorials, which depend on bonding of their parts for stability, can present a risk where the joint has failed
10. Some memorials might also be made of material which more readily erodes and becomes unsafe. It may therefore be appropriate to examine these memorials in advance of others.
11. SCC will build up a profile of the memorials in their burial grounds. It is an essential first step to enable prioritisation of and provide a focus for the inspection process.



## **Inspection of Memorials**

12. All inspection and testing will be carried out by trained staff using the procedure stated and in accordance with the Council's Memorial Safety policy.
13. The inspection consists of two stages: a visual inspection and a manual test

### **Visual inspection.**

14. A visual inspection should be the first step in assessing the risk of a memorial falling.
15. Problems to look out for include:
  - 15.1. Damaged or eroding bonding.
  - 15.2. Movement of parts of a memorial from its original position.
  - 15.3. Kerb stones breaking apart.
  - 15.4. Undermined or unstable foundations.
  - 15.5. Leaning memorials – particular if there is evidence of recent movement.
  - 15.6. Evidence of structural damage or disturbance (e.g. cracks).
  - 15.7. Sign of erosion of the soil around the base of the memorial
  - 15.8. The presence of vegetation, which may cause cracks etc. to widen.
16. The profile of memorial types in the burial ground, together with the visual inspection will help determine those memorials that require a hand test, and how to prioritise those hand tests:
17. Some memorials will require specialist assessment, and the location and frequency of visitors to these locations will help determine the timing of that specialist inspection. It is not normally appropriate to use a hand test to confirm stability of these memorials.

### **Hand Test**

18. Where memorials (that do not require a specialist assessment) have visible signs of damage or defects such as joint or component failure, a hand test should be used to determine stability of the memorial and can save on unnecessary work. The location and frequency of visitors to these memorials will help determine the timing of the hand test e.g. more frequently visited parts of the burial ground should be prioritised for an early hand test. This can often be done straight away at the time of the visual inspection.
19. Where memorials (that do not require a specialist assessment) have no sign of defects, a hand test may not be necessary but can still be used to confirm that the memorial is stable. These tests should be treated as a lower priority to the hand tests of memorials that have signs of instability – though they may, of course, be undertaken at the same time as the visual inspection. Once again it makes sense to do the hand test of memorials in locations that are more frequently visited as a higher priority than the memorial in less frequented locations.
20. The hand check can be carried out by standing to one side of the memorial and applying a firm but steady pressure in different directions to determine to what degree if any the headstone is loose.
21. If some instability is detected following the hand test, a judgment must be made as to whether this movement is limited, or whether there is sufficient movement for the memorial to present a high risk to people's health and safety.

Operators should note that many memorials installed in recent years on independent foundations are fitted with a ground support system. These memorials may move, even rock if the base to foundation joint is broken, but do so within designed tolerance limits and represent no danger as the memorial will lock on the ground anchor.

22. Visual and hand checks can be carried out by a person with a working knowledge of memorials and their defects, and/or good knowledge of the memorials in any burial ground, but those inspecting memorials need to be mindful of, and consider, the risks to their own health and safety.
23. Hand testing is appropriate for many memorials, such as the modern, lawn type, as well as smaller stepped designs or tiered crosses. Much larger, heavier memorials, such as older columns or obelisk types, may require an assessment by a specialist engineer or competent memorial mason.
24. The routine use of mechanical test instruments as inspection tools is not recommended. Results from these instruments are liable to overestimate the actual risk. The approach suggested above will enable the operator to assess the memorials in their grounds as either secure and stable or insecure and requiring action, and a mechanical test will not add to this judgment. However, where this judgment is not so clear, the operator may need to consult a specialist engineer or memorial mason for advice.

## **Recording**

25. Once an unsafe memorial has been identified, information concerning the memorial is recorded on the Memorials Inspection Form (Annex B )
26. All relevant details, such as grave and section number, are included on the Memorials Inspection Form plus the condition of the memorial and the work required re-instating the memorial.
27. 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).
28. 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

## **Post Inspection Actions**

29. SCC will notify the deed holders of any memorials that are found to be unstable. The Council will place a safety notice on the headstone informing people that the memorial has been found to be unsafe and the action to be taken.
30. The Council may also fence the area off around the memorial or in very dangerous situations lay the memorial flat.
31. Although the Council has a duty of care to ensure the cemetery is safe, the responsibility for memorials lies with the owner of the Deed of Grant of Exclusive Rights of Burial. SCC will recommend that the memorial owners should contact the memorial mason that supplied the memorial as soon as they are notified about a safety concern to arrange for it to be fixed and made safe. A stonemason will ensure that work carried out on the memorial is done to the proper professional standards issued by the National Association of Memorial Masons.

32. The Council fully appreciates that this may be upsetting for bereaved families and is very sorry for any distress it may cause. Memorials are a lasting tribute to our loved ones and through careful testing to ensure their safety, the Council would like to work with memorial owners to ensure that all the memorials in our cemeteries remain a fitting tribute for years to come

### **Replacement of Memorial by Owners**

33. Owners are fully entitled to undertake work on the memorial as long as they use a Memorial Mason who is registered to work within Salisbury City Council's area. A list of approved Memorial Masons is available from the Clerk on request. Owner must inform the Clerk that they are getting the memorial repaired.

34. However, the Council would strongly encourage owners to arrange for the work to be carried out by a stonemason working to the national guidelines. If an owner carries out the work themselves and inform the Council of this, then the Council will continue to test the memorial annually to ensure that the memorial remains safe.

### **Council Actions**

35. The Council will not:

35.1. Remove the memorial from its site;

35.2. Lay the headstone flat on the ground, except in exceptional circumstances when the memorial is likely to present a serious hazard soon.

### **Untraceable Owners**

36. Where a memorial has failed the testing and the grave owner cannot be traced the Council will make the memorial safe by either partially sinking or by repairing.

37. Care will be taken to ensure, where possible, that inscriptions are not affected. This will enable a full repair at a later stage if required.

### **Notifications**

Notices will be placed on gates at the entrance to the London Road and Devizes Road Cemeteries and around the grounds to let people know in advance that safety testing will be taking place. In addition notices will be posted in local newspapers, on the Council's website and via social media.

### **Future Testing**

38. The testing of memorials will need to be effectively monitored and will require an ongoing programme based on the first round of testing.

39. After a period of six months from the Council originally notifying memorial owners that the memorial had failed testing, the Council will contact owners again to ask what action they have taken to make the memorial safe. If we are informed that the memorial has been made safe, the Council's records will be updated.

### **Overview of Inspection Timetable**

40. Initial Risk Assessments will be conducted by the Cremation and Cemeteries Manager and the Assistance Crematorium and Cemeteries Manager during 2017. This will be recorded on the Memorial Safety Risk Assessment Overview Record.

41. The Inspection of memorials is estimated to take 4 weeks and will comprise a visual check and a manual check for each memorial.

42. The Council will train and employ such officers or contractors required as needed for this task

**List of Annexes**

- 43. Annex A – Indicative Timetable
- 44. Annex B – Memorial Inspection Form
- 45. Annex C – Memorial Assessment
- 46. Annex D – Overview Memorial Safety Risk Assessment
- 47. Annex E – Training (for Info only)

***Annie Child***  
***Deputy City Clerk/Head of Service Delivery***

## Indicative Timetable

When	When	Who
Present Report to Services Committee for approval	26 Jun 2017	DCC/CSM
Publicise Council's intention	Jun 2017 onwards	DCC/BM/C&CM
Conduct Over View risk assessment	Jun 2017 onwards	C&CM/AC&CM
Train Inspector	Jul 2017 onwards	DCC/C&CM/HRM Training provider
Conduct Risk Assessment of Cemeteries wrt memorial to highlight areas of concerns		C&CM/AC&CM
Carry out memorial testing and record all info	Jul – Sep 2017	Trained assessor
Conduct Risk Assessment of Cemeteries wrt memorial to highlight areas of concerns	Jul 2017 onwards	FM/PM/C&CM/DCC

**Memorial Inspection Form**

This form may be adapted to be used in an electronic format on a tablet by an Inspector

Cemetery Name	
Grave / plot number Name(s) of deceased	
Type of memorial	
Condition, lean angle, stability, decay, movement	
Test	Visual Inspection – PASS / FAIL If fail, give details Manual Test – PASS / FAIL If fail give details
Risk Factor Overall	High / Med / Low
Actions required and taken	
Details of any photographs	
Timescale for re- inspection	
Name and Signature of Inspector	
Date of Inspection	

## Memorial Assessment

Each memorial will be assessed as follows:

	<b>Visual checks</b>	<b>Manual Check</b>
<b>Low Risk</b>	<ul style="list-style-type: none"> <li>No cracks</li> <li>Memorial upright and without any significant leaning</li> </ul>	<ul style="list-style-type: none"> <li>No movement detectable or movement is within built tolerances</li> </ul>
<b>Medium Risk</b>	<ul style="list-style-type: none"> <li>Some cracks visible</li> </ul>	<ul style="list-style-type: none"> <li>Some movement possible if force applied</li> </ul>
<b>High Risk</b>	<ul style="list-style-type: none"> <li>Large visible cracks</li> <li>Obvious lean</li> <li>Ground around memorial disturbed</li> <li>Pieces of the memorial missing or in wrong place (i.e. on the floor)</li> </ul>	<ul style="list-style-type: none"> <li>Moved easily with minimal pressure</li> </ul>

## Actions Following Assessment

	<b>ACTIONS Required</b>
<b>Low Risk</b>	<ul style="list-style-type: none"> <li>Re -inspect in 5 years</li> </ul>
<b>Medium Risk</b>	<ul style="list-style-type: none"> <li>C&amp;CM to inform owner that repairs are recommended</li> <li>Re-inspect in 6 months</li> </ul>
<b>High Risk</b>	<ul style="list-style-type: none"> <li>Report immediately to the Parks Manager and Crematorium Manager</li> <li>Either PM or C&amp;CM to conduct immediate assessment, take any initial actions and fence off area if required</li> <li>PM to assess next steps, i.e. laid memorial flat, stake memorial or other actions</li> <li>C&amp;CM to Inform owner to make repairs</li> <li>Re-inspect in 6 months</li> </ul>

## Overview Memorial Safety Risk Assessment

This form maybe adapted to be used in an electronic format on a tablet by an Inspector

<b>Cemetery Name</b>	
<b>Name of Assessor</b>	
<b>Date of Risk Assessment</b>	
Previously identified 'problem' memorials	
Location	Concerns
Memorials alongside or within a short distance of paths, are more likely to present a risk to visitors than those which are less accessible	
Location	Concerns
Memorials of well-known people, or memorials widely appreciated for their architecture or aesthetic qualities are also more likely to attract visitors	
Location	Concerns
Less frequented areas may attract anti-social behaviour, or may need greater maintenance as relatives are no longer tending memorials	
Location	Concerns



Memorials situated on sloping or uneven ground, may present an increased risk

Location	Concerns
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Multi-part memorials, which depend on bonding of their parts for stability, can present a risk where the joint has failed

Location	Concerns
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## Training – For Info Only – Training details to be confirmed

Extract from

<http://www.namm.org.uk/burial-authorities/training-courses/>

# Safety Inspection and Assessment of Memorials in Burial Grounds

A training course structured around the Ministry of Justice guidelines '*Managing the Safety of Burial Ground Memorials*' focusing on a 'Risk Assessment' based approach. All aspects of memorial assessment will be covered in the course, from understanding different types of natural stone and the way in which it changes with time, through to memorial construction and how this might impact decisions on safety. The important area of 'making safe' will also be included.

The morning will be spent in the classroom studying in-depth theory and the afternoon will be spent putting the theory into practice.

**Please note this course **does not** qualify you to carry out safety inspections. Successful completion of a half-day written and practical assessment, following attendance on the course, is required for candidates to be awarded the nationally accredited qualification: NAMM City & Guilds NPTC Certificate of Competence for the Safety Inspection and Assessment of Memorials.**

### Course fees:

**£300 + VAT (NAMM Members £175 + VAT)**

(Note: Corporate Membership of NAMM for Burial Authorities is £205 + VAT pa)

NAMM C&G NPTC Assessment Fee for the qualification: £250 + VAT