

# MILDENHALL HIGH TOWN COUNCIL

The Pavilion. Recreation Way. Mildenhall. Bury St. Edmunds. Suffolk. IP28 7HG



## Management of Memorials Policy

### **MEMORIAL SAFETY POLICY**

Mildenhall High Town Council's policy on memorial safety is based on guidance that has been developed by the Burial and Cemeteries Advisory Group in England, which advises the Ministry of Justice on all aspects of burial law.

The guidance represents good practice on the standard expected in the risk management of memorials in all types of burial grounds, public or private. It is likely that such good practice will be used by the Health and Safety Executive throughout the UK. The following procedures reflect the new approach to memorial safety that needs to be adopted. The guidance sets out a risk-based approach to help authorities and other operators develop a proportionate approach to managing the risk associated with memorials that is based on good practice.

The policy relates to the Thetford Road Cemetery and the Kingsway Closed Cemetery.

### **MEMORIAL INSPECTION PROCEDURE**

- Memorial safety inspections will be carried out by two operatives working as a team.
- Only personnel familiar with Guidance issued by The Ministry of Justice will carry out safety inspections on Headstones and Memorials. Reference should be made to *Managing the safety of burial ground memorials*, issued by The Ministry of Justice and dated January 2009 and the House of Commons Unsafe Memorials in Cemeteries Briefing Paper dated January 2017.
- At least one member of the inspection team should be a competent person.

- Personal Protective Equipment (PPE) must be worn at all times where appropriate.
- All memorial inspections will be recorded on the inspection form.
- All memorials will initially receive a visual check to identify if there is obvious danger and shall also indicate the safest approach to carry out the physical hand test.
- Operatives must always be aware of Headstones/Memorials that are made-up of more than one section or blocks. Operatives must always examine the top section first and work down the memorial, this will avoid such elements of the memorial falling and potentially causing injury during any inspection
- The physical hand inspection should be carried out standing in front, but to one side, of the headstone where possible and a gentle pressure/force should be gradually increased until a force approximating 35kg 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 a high up the memorial as can comfortably be reached.
- If the memorial moves with a constant hand pressure (known as The Hand Test) and will continue to fall, which could lead to an injury, then the memorial will be recorded as un-safe
- A memorial will only fail the safety inspection if it will move and continue to move until it falls to the ground under an initial firm but reasonable force approximating 35 kg. Memorials that do not freely move following the initial force will not be considered unsafe unless in an area of very high risk.
- Should a memorial fail the physical hand test a mechanical measuring device may be used, simply to confirm the force at which the memorial has failed. When using this device it should be noted that the memorial will be unstable and great care should be taken. The measuring device should be used in a similar way to the hand test with the force being applied at the apex of the memorial, or just below shoulder height on taller memorials up to 1.5m. The mechanical measuring device is not suitable for memorials taller than 1.5m

## **MEMORIAL INSPECTION PROCEDURE – MEMORIALS OVER 2.5M**

Due to the diverse nature and complexity of these memorials, a visual check of all joints and any other area of weakness will be carried out in accordance with training provided. The Grounds Team will inspect the memorial to see if it is safe enough or warrant any further testing. The memorial can be prioritised on a visual inspection as follows.

- Requiring immediate professional advice,
- Considered safe but requiring professional advice within the next 12 months
- Considered safe and not requiring further advice.

If the Memorial Safety Team thinks immediate professional advice is needed, i.e. a structural engineer, then the area will be cordoned off and appropriate safety notices put in place until specialist advice can be obtained

### **The Grounds Team will:**

- Carry out a visual check on all memorials
- Check if there is an increased risk to the monument's stability due to its location.
- The hand test will be used in accordance with the assessed level of risk.
- Mechanical testing will only be used when considered essential and where the memorial has failed the hand test.
- Record all visual and hand tests undertaken with detailed information on individual memorials tested.
- Record any significant risks to be dealt with, taking account of the numbers of people who may be exposed, and the likelihood of the risk.
- Record any reasonable precautions taken to ensure the remaining risk is acceptable.

Where a memorial is found to pose a significant risk then a means of making safe will be considered which is proportionate to the level of risk

In the majority of subsequent inspections a visual test will be sufficient, unless an individual memorial is considered to pose a more significant risk following the visual test. In such cases a full visual and hand test will be undertaken

### **TEMPORARY MEASURES**

- Warning Signs will be placed on or near the memorial found to be unstable.
- Cordoning off the memorial with hazard warning tape or barrier mesh if required.
- Mechanical support to the memorial (i.e. either metal or wooden supports)
- Setting the memorial into the ground
- Laying down (only if absolutely necessary).

### **COMMUNICATION WITH MEMORIAL OWNERS**

- Ownership of memorials remains with the family of the deceased
- Only when the memorial poses a significant risk, such as imminent collapse in a way that could lead to serious injury, does immediate action need to be taken to control the risk.
- When memorials are found to be unstable, the Council will write to the grave owner to inform them and they will be given 12 months to contact the Council and make the memorial safe, unless the memorial is older than 40 years old and showing no signs of visitation. In such circumstances permanent action may be taken to make the memorial safe.

- Some memorials may also need to be laid down immediately prior to any other action if considered to pose a significant and immediate risk to the public

If a grave owner is unhappy about the Council's decision to identify their memorial as being unstable a meeting can be arranged at the burial ground where they can witness a further inspection of the memorial.

## **MEMORIAL MASONS**

- Memorial masons must meet the following basic requirements:
- Masons must be able to prove that their staff are suitably qualified and competent to carry out the necessary work within the Council's cemetery. This will require companies to be business registered with BRAMM and at least one fixer per installation to hold a BRAMM Fixers' Licence.
- All masons will comply with all statutory requirements. Cemetery Management Rules, the memorial masons registration scheme, the NAMM (National Association of Memorial Masons) Code of Practice and BS8415.
- All work shall be covered by Certificate of Compliance to protect the bereaved against poor workmanship.
- Every mason shall be insured for public liability to the value of £5,000,000

## **COMMUNICATION WITH THE PUBLIC**

- Notices will be displayed within the Cemetery grounds.
- The public will be advised of all inspection work and why it is necessary to undertake it in accordance with the Ministry of Justice 2009 Guidance.
- Additional signs will be provided to advise of inspections taking place and where necessary fulfil any other obligations under existing health and safety legislation

## **FREQUENCY OF INSPECTION**

- Inspections of all levels of risk will be carried out on a minimum frequency of once every 5 years. The last one being in June 2021.
- Any memorials considered to be in such a condition where there is an immediate risk of them toppling and causing serious injury to members of the public will be immediately assessed and a decision taken on how the memorial will be made safe.
- Any memorial showing early signs of instability will be monitored every 12 months.