



# **Llanrug Community Council**

## **Memorial Safety Policy**

**Responsibility:** Cemetery Committee

**Review Cycle:** Annually, or at the committee meeting immediately following any incident involving a memorial or accident that occurs. This policy should be read in conjunction with the council's cemetery rules.

Date of Adoption	Resolution Number

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## **INTRODUCTION**

Llanrug Community 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 Burial and Cemeteries Advisory Group in England and Wales, which advises the Ministry of Justice on all aspects of burial law.

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.

## **SCOPE**

This procedure has been written specifically for the cemetery managed by Llanrug Community Council

## **OBJECTIVES**

The aim of this procedure is to formalise the systems in place to control the risk from memorials to employees, contractors, and members of the public to whom the council has a general duty of care.

## **RESPONSIBILITIES**

Responsibilities are set out in various legislation covering burial grounds, including the Local Authorities' Cemeteries Order 1977 (LACO). The council also has general responsibilities as set out in the Health and Safety at Work Act 1974 (HSWA74) and associated regulations such as the Management of Health and Safety at Work Regulations 1999 and any subsequent Regulations.

## **REVIEW**

This policy will be reviewed annually or at the committee meeting immediately following any incident involving a memorial or accident that occurs.

## **PRE-INSPECTION PREPARATION**

### **1. METHOD STATEMENT**

- 1.1 Llanrug Community Council or its chosen contractor, will prepare a Method Statement prior to the commencement of any safety testing.

### **2. INSPECTION OPERATIVES**

- 2.1 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).
- 2.2 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 1.5m in height).
- 2.3 At least one member of the inspection team will be a competent person (competent person can be described as the combination of training, skills, experience and knowledge that the person has and their ability to apply them to perform a task safely).
- 2.4 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.
- 2.5 A risk assessment for the safety of those carrying out the inspection will be completed and kept on file, along with a signed agreement that the council's chosen procedure will be followed.

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

### **3. RECORDS**

- 3.1. 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**

### **4. FREQUENCY OF INSPECTION**

- 4.1. Inspections of all levels of risk will be carried out on a minimum frequency of once every five years.

### **5. INSPECTION PROCESS**

The inspection process will be comprised of the following:

- 5.1 Risk Assessment
- 5.2 Communication and Notice of Intent
- 5.3 Visual Checks
- 5.4 Physical Test
- 5.5 Classifying the Memorial
- 5.6 Actions for classified memorials

#### **5.1 RISK ASSESSMENT**

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

Items considered in this risk assessment include:

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

## 5.2 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.

A minimum of three months prior to any memorials being inspected the council will:

- Ensure notices are displayed within the Cemetery grounds. 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 within the area of Llanrug Community Council. 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 and social media, and a public notice placed in the local newspaper for two consecutive weeks. A list of Frequently Asked Questions (example Appendix 7) will be posted on the website.

The Council will provide details of the methodology on the Council's website.

## 5.3 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 bonding
- 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 (e.g., 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.

## 5.4 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 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.

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.

## 5.5 CLASSIFYING THE MEMORIAL

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

Category 1 – stable and not dangerous in any way; to be reassessed in five years

Category 2 – requires immediate attention to make safe by stabilising with a stake and banding

Category 3 - requires immediate attention to make safe by laying down the memorial within the grave space

## 5.6 ACTIONS FOR CLASSIFIED MEMORIALS

Having considered the guidance and industry standards and the various options available, the council will apply the following approach to the assessed memorials:

### Category 1 memorials

No action required. To be reassessed in five years.

### 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.
- The holder of the Exclusive Right of Burial 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.
- Where the holder of the EROB cannot be identified and 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 the 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 in accordance with BS8415. The contracted monumental mason will inform the council when the work will be taking place.
- Where the holder of the EROB is not known and does not contact the council within the twelve-week period, and no repair is arranged for the memorial, the memorial will remain laid flat 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 notices will be posted to give cautionary warning of the hazards.

## **POST-INSPECTION PROCESS**

### **6. REPAIR WORK**



6.1. All work to repair or replace a memorial must be carried out 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.

### **Appendix 3**

## **PUBLIC NOTICE**

**Please note that Llanrug Community Council's ongoing safety programme involves the inspection of all memorials at its cemetery**

Week Commencing \_\_\_\_\_

**Any memorial that has not met the health and safety requirements will be provided with a notice and temporary support. Details of the action required to make the memorial safe will be available on the noticeboard or on the council's website**

For your safety, and that of all visitors to the cemetery DO NOT attempt to test memorials yourself. Any work to repair memorials must be undertaken by a qualified monumental mason

**ALL MEMORIALS REMAIN THE RESPONSIBILITY OF THE OWNER TO KEEP IN GOOD  
SAFE ORDER**

We appreciate your assistance and co-operation in ensuring this cemetery  
is a safe place for everyone to visit

If you have any questions or concerns regarding a memorial, or this notice, please contact Llanrug Community Council: [clerc@llanrug.cymru](mailto:clerc@llanrug.cymru)

#### **APPENDIX 4**

## **IMPORTANT SAFETY NOTICE**

**This memorial has been found to be unsafe during a safety inspection and test. It required urgent attention to prevent injury to cemetery visitors**

If you are the holder of Exclusive Right of Burial or have responsibility for the memorial, please contact Llanrug Community Council as a matter of urgency for further information, and to advise of your intention to make safe.

For your own safety, and that of all visitors to the cemetery, **DO NOT** attempt to test memorials yourself.

Any work to repair memorials must be undertaken by a qualified, registered monumental mason

**ALL MEMORIALS REMAIN THE RESPONSIBILITY OF THE OWNER TO KEEP GOOD  
SAFE ORDER**

We appreciate your assistance and co-operation in ensuring this cemetery is a safe place for everyone to visit.

If you have any questions or concerns regarding this memorial or notice, please contact Llanrug Community Council: [clerc@llanrug.cymru](mailto:clerc@llanrug.cymru)

## **APPENDIX 5**

**[DATE]**

**[NAME]**

**[ADDRESS]**

**Dear [Name]**

### **Memorial Safety Programme Llanrug Community Council Cemetery**

**Grave Space: [GRAVE SPACE NUMBER]**

The Council has recently undertaken a series of memorial inspections at Llanrug Community Council's Cemetery as part of its Memorial Safety Programme. The programme is designed to ensure the safety of everyone who visits, or works, in the cemetery and it is not the intention of the council to cause any unnecessary distress or upset.

Whilst the council is responsible for ensuring general safety within the cemetery, the owner of a memorial is responsible for ensuring it is maintained and in good condition.

During the recent inspection it was noted that the memorial on grave space [INSET GRAVE SPACE NUMBER HERE], is unstable and in need of immediate remedial work. A temporary support and notice have been placed on the above memorial in order to protect it and ensure the safety of anyone visiting the area.

Please could I ask you to arrange for a registered monumental mason to carry out the repair within twelve weeks of receipt of this letter? May I also ask you to contact the Council Offices [clerc@llanrug.cymru](mailto:clerc@llanrug.cymru) to advise us of your action.

Please note: all repairs must be carried out to BS8415 and a copy of the guarantee of conformity lodged with the council on completion of the work.

We thank you for your help in this matter. If you have any questions about the Memorial Safety Programme, or this letter, please do not hesitate to contact the council.

Yours sincerely

## **APPENDIX 6**

[DATE]

[ADDRESS]

Dear [NAME]

### **Memorial Safety Programme in Llanrug Community Council Cemetery**

#### **Grave Space: [GRAVE SPACE NUMBER]**

The Council has recently undertaken a series of memorial inspections at Llanrug Cemetery as part of its Memorial Safety Programme. The programme is designed to ensure the safety of everyone who visits, or works, in the cemetery and it is not the intention of the council to cause any unnecessary distress or upset.

Whilst the council is responsible for ensuring general safety within the cemetery, the owner of a memorial is responsible for ensuring it is maintained and in good condition.

During the recent inspection it was noted that the memorial on grave space [INSET GRAVE SPACE NUMBER HERE], is extremely unstable and in need of immediate remedial work. Due to the immediate danger posed, a notice has been placed on the above memorial and it has been laid down in order to protect it and ensure the safety of anyone visiting the area.

Please could I ask you to arrange for a registered monumental mason to carry out the repair within twelve weeks of receipt of this letter? May I also ask you to contact the Council Offices to advise us of your action.

Please note: all repairs must be carried out to BS8415 and a copy of the guarantee of conformity lodged with the council on completion of the work.

We thank you for your help in this matter. If you have any questions about the Memorial Safety Programme, or this letter, please do not hesitate to contact the council.

Yours sincerely

## **APPENDIX 7**

### **MEMORIAL SAFETY - Frequently Asked Questions**

#### **Why Are We Carrying Out Memorial/Headstone Safety Checks?**

Safety inspections and tests are required to ensure our cemetery is a safe place for visitors and for employees working in them. Sadly, over the past few years there have been several incidents in other cemeteries around the country where unstable memorials have fallen over onto people, including children, resulting in both fatalities and serious injuries. The Health and Safety Executive, who encourage, regulate and enforce workplace safety in the UK (HSE), are interested in Memorial Safety and have issued notifications to Local Authorities insisting that they have policies and procedures in place to ensure the stability of memorials. Llanrug Community Council has a responsibility for the safety of all visitors to the cemeteries and those working in them.

#### **Who is Responsible for my memorial's repair and condition?**

The holder of the Exclusive Right of Burial or owner of the memorial is responsible for keeping the memorial repaired and in a safe condition. However, the Council has the obligation of making this cemetery safe and will use reasonable means to ensure the safety of those working in or visiting it. A warning notice will be attached to any memorial if it is found to be in an unsafe condition and the holder of the Exclusive Right of Burial or owner contacted to arrange a permanent repair with a qualified, registered, monumental mason.

#### **What is done during the safety test and inspection?**

Each memorial will be given a visual check to assess its condition. It will then be given a push test (steady, gentle pressure applied to the top of the memorial) to check its stability. The results of the test are logged and recorded. This safety check is carried out by qualified contractors.

#### **What if the memorial fails the test?**

As the cemetery is a public place, the council has a duty of care to make sure an unstable memorial is made safe immediately. Depending on the level of danger posed by unstable memorials, it will either be temporarily made safe, and a warning notice will be applied to the memorial, or, in the case of an immediate, high-risk hazard, the memorial will be laid flat and a warning notice applied to the memorial. In both cases, the council will then contact the holders of the Exclusive Right of Burial and or owner for the grave to inform them.

**Why have I not been contacted regarding the temporary support/band and/or cautionary notice that has been applied to my memorial?**

It is the council's priority to make safe any unstable memorial found during the inspection. We want the cemetery to be a safe place to visit and work. As soon as possible following the inspection, we will write to the holder of the Exclusive Right of Burial and/or owner using the address we have on our records. If we have not contacted you it may be because we do not have a current address. Please contact us [clerc@llanrug.cymru](mailto:clerc@llanrug.cymru) to check or update your contact details.

**Will my memorial undergo tests in the future?**

Yes. The council will carry out these tests at periodic, regular intervals and all memorials will be inspected at least every five years.