

Memorial Safety Policy and Procedure

Sunderland City Council

Memorial Safety Policy

Responsibility for the overall safety within a burial ground lies with the burial authority, which has accountabilities 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. This includes ensuring that anyone who enters the site to carry out work, such as a memorial mason, carries out such work in a safe manner and in such a way that others using the site will not be put at risk.

Whilst the responsibility for general safety lies with the burial authority there are specific responsibilities relating to memorials that lie with both the owner of the memorial and the memorial mason responsible for installing it. The owner of the memorial is responsible for maintaining the memorial in a good condition. Memorial owners should also consider memorial insurance.

Understanding of the possible dangers of memorials was heightened in 1995 when a death occurred as a result of a memorial falling on a young girl in Toxteth Cemetery in Liverpool. In response, Federation of Burial Authorities carried out research into the management of memorials in cemeteries. It was found that from 1992 to 1996 there had been five deaths due to falling memorials in cemeteries and many more significant but less serious injuries.

As a result of the research, guidelines were developed for local authorities to ensure that suitable inspection procedures were put in place to inspect memorials and take appropriate action for the safety of the public. Where applied in a sensitive manner there have been improvements in safety with little concern from members of the public.

In January 2009 the Ministry of Justice issued the new memorial safety guidance entitled “Managing the Safety of Burial Ground Memorials”, with emphasis placed on a proportional approach to any actions, based on the level of risk posed. Considering this guidance the Council has now received training to the new standards and has developed systems for the safety of memorials, outlined in this memorial safety policy. The policy is based on the Ministry of Justice guidance and the Institute of Cemetery and Crematorium Management (ICCM) and provides details on how the Council will follow the guidance to manage memorial safety within Sunderland.

Sunderland City Council is responsible for the following cemeteries:

- Washington
- Southwick
- Castletown
- Mere Knolls
- Bishopwearmouth
- Sunderland
- Ryhope
- Houghton on spring
- Hetton
- Easington Lane

In addition to our operational cemeteries, Sunderland Council also has the following closed cemeteries:

- St Michael's & All Angels – Houghton-le-Spring
- St Michael's Old Durham Rd– Houghton-le-Spring
- St Cuthbert's – East Rainton
- St Nicholas – Hetton
- Houghton Old Cemetery– Houghton-le-Spring
- St Michaels – Easington Lane

- All Saints - Penshaw
- St Matthews - Newbottle
- St Pauls – Ryhope
- St Cuthbert's – West Herrington
- St George – Washington
- High Usworth – Washington
- Washington Village – Washington Village
- Holy Trinity – Southwick
- St Michaels – Bishopwearmouth
- St Marys – Millfield
- St Luke's – Pallion
- Holy Trinity Sunderland – East end Sunderland
- Greys Memorial – St Johns Church
- St Peters Church – Monkwearmouth
- Eppleton Churchyard – Hetton

PURPOSE OF MEMORIAL SAFETY POLICY

The purpose of the memorial safety Policy is to provide a consistent system of managing the safety of memorials within Sunderland, that is transparent to the public, Elected Members, staff and voluntary groups who use, or have an interest in the safe operation of, the Council's cemeteries.

The following memorial safety policy and procedures will apply to all of the above cemeteries.

RISK ASSESSMENT

The Council will:

1. Carry out a documented risk assessment and develop an understanding of risks on each burial site and assess each risk using a risk assessment process that will ensure consistent results, whilst incorporating memorial safety as part of the Council's overall approach to health and safety on the site. Each section within each cemetery will be assessed to identify areas of high, medium and low risk which will then be recorded on a site plan.
2. Identify hazards relating to each memorial. Any memorials within any of Sunderland City Councils cemeteries that are potentially hazardous to the public will be identified by following the 2009 Memorial Safety Guidance.
3. Decide who might be harmed and how – Sunderland City Council shall carry out all assessments in accord with the HSE's 5 steps to risk management and will properly assess the risks to all users of the site.
4. Evaluate the risks and decide on precautions - All risks posed by memorials will be properly evaluated through both the risk assessment and memorial inspection processes. A range of suitable precautions shall be considered and utilised in a way that is proportional to the level of risk posed.

Risks will be evaluated using the following criteria, although the list is not exhaustive:

- Areas with memorials near main paths and drives
- Well visited areas or memorials

- Areas that attract anti-social behaviour
 - Areas with memorials on sloping or uneven ground
 - Areas with many large multi-part memorials
 - Areas with monolith memorials
 - Areas with badly weathered memorials
 - Areas with more recent memorials fitted to BS8415 / National Association of Memorial Masons (NAMM) Code of Practice
 - Condition of ground around memorials
5. Record findings and implement them - Every memorial within the Sunderland City Council's cemeteries will be inspected and full records maintained of any that are considered to pose a danger to the public, together with any action being taken to significantly reduce the level of risk. All memorials will continue to receive an inspection of some sort, ranging from only a visual inspection, through to a full visual and hand inspection at least once every 5 years.
6. Review memorial risk assessments and update if necessary – Burial ground risk assessments will initially be reviewed once every 5 years or earlier if required.

COMMUNICATION

The Council will:

1. Ensure notices are displayed within the Cemetery grounds to warn the public of the potential dangers of memorials, advise who to contact with any queries or concerns, advise of inspections taking place and, where necessary, fulfil any other obligations under existing health and safety legislation.
2. Issue update web sites to advise the public of all inspection work, why it is necessary and that all work shall be carried out in accordance with the Ministry of Justice Guidance.
3. When memorials are found to be unstable, send letters to grave owners wherever this is possible. Where they can be contacted and an immediate make safe option is not appropriate, owners will be informed should their memorial be found to be unstable. They will be given the opportunity to have it repaired at their own cost and to BS8415/National Association of Memorial Masons Code of Practice standards which are current at the time of repair.

If a memorial poses a serious risk then, in the interests of public safety, the Council retains the ability to lay the memorial down immediately or take other action to make the memorial safe. Where appropriate and where current contact details are available, attempts will be made to contact the grave owner as soon as possible.

INSPECTION PROCESS

The Council will:

1. Ensure all staff are suitably trained. All inspectors shall be trained to meet the standards specified in the Ministry of Justice guidance entitled “Managing the Safety of Burial Ground Memorials”. Training will be refreshed as required.
2. Carry out a visual check on all memorials. This will be carried out irrespective of the level of risk in the section, or type of memorial.
3. Carry out a hand test – the test will be used in accordance with the assessed level of risk.
4. If required, a mechanical device may be used to measure the force at which a memorial has failed the inspection – occasionally a mechanical force measuring device may also be used, when absolutely necessary, to check the accuracy of a hand inspection. The mechanical device will also be used as a training tool to ensure the consistency of staff inspections.
5. Inspections will be proportionate to the level of risk identified in the section on which they stand. Each section of the cemetery will be identified as high, medium or low risk. The areas will then be inspected as follows:

Low Risk Areas A visual test will be enough unless an individual memorial is identified to have a defect, obvious during the visual test. In such cases a hand test will be then be undertaken in addition to the visual test.

Medium Risk Areas In most inspections a visual test and hand test will be undertaken, unless an individual memorial is considered to pose a lesser risk following the visual test (if a war grave memorial or known to be fixed with a ground anchor). In such cases a visual test may be deemed enough.

Some memorials in medium risk areas may need specialist inspection and advice so appropriate procedures are in place to call on such specialist assessors.

High Risk Areas The majority of inspections will include a visual and a hand test, unless an individual memorial is considered to pose a lesser risk following the visual test (if a war grave memorial or known to be fixed with a ground anchor). In such cases a visual test may be deemed sufficient.

Some memorials in high risk areas may need specialist inspection and advice so appropriate procedures are in place to call on such specialist assessors. In a section considered to be a high risk, particular attention will be paid to memorials that could pose a significant risk to members of the public. An early decision will be made on any action needed to make the memorial safe, this shall be proportional to the level of risk.

PRIORITISATION

A simple priority will be given to memorials when inspected, whether in a high, medium or low risk area. The priority indicates the level of risk the inspector considers is posed to the public based on the area in which the memorial lies and the inherent risk of the memorial itself. The priorities to be applied by the inspector are as follows:

- Priority 1 (Red) – an immediate risk of toppling and causing serious injury. Priority 1 requires immediate attention to protect the public, employees and other visitors to the cemetery.

Action: Immediate action will be required to significantly reduce the risk by using the appropriate means of making the memorial safe.

- Priority 2 (Amber) – potential of becoming a danger to the public, employees and other visitors to the cemetery but is not in immediate risk of toppling and causing serious injury.

Action: Re-inspect in 12 months

- Priority 3 (Green) – little risk to the public, employees and other visitors to the cemetery. Action: Re-inspect in 5 years

FREQUENCY OF INSPECTION

Inspections of all levels of risk will be carried out on a minimum frequency of once every 5 years. As indicated above, any memorials showing early signs of instability will be monitored every 12 months where assessment has deemed this necessary. Any memorials considered to be in such a condition that there is an immediate risk of toppling and causing serious injury will be immediately assessed and a decision taken on how the memorial will be made safe or repaired. Decisions on whether to invoke the 12 monthly monitoring or take immediate action to make safe or repair, will be taken in relation to the perceived level of risk of the individual memorial and the level of risk allocated to the section in which it lies, as identified from the site risk assessment.

Memorials over 2.5.m

Due to the diverse nature and complexity of these memorials, a visual check of all joints and any other areas of weakness will be carried out in accordance with training provided. The visual inspection will determine whether further professional advice is needed.

- Priority 1 (Red) - will require more professional advice, i.e. a structural engineer. The area will be cordoned off and appropriate safety notices put in place until specialist advice can be obtained.
- Priority 2 (Amber) – will require professional advice within the next 12 months but does not pose an immediate danger to the public
- Priority 3 (Green) – will not require specialist advice as the structure appears sound.

During the visual assessment the trained inspector will assess whether the memorial is safe enough to warrant him/her doing a hand test to assist with the decision making process.

TEMPORARY MEASURES

Where a memorial is considered to pose a significant risk and is likely to topple and cause serious injury to a member of the public then an assessment of the need for repair or make safe will be carried out on an individual basis, irrespective of whether a memorial lies within a high, medium or low risk area. All action will be based on the likelihood of injury and will be proportionate to the level of risk. A decision will also be taken on whether a warning notice should be placed, giving details of a contact number for the Council.

Temporary measures will generally include consideration of the following:

- Warning Signs - placed on or near the memorial found to be unstable.
- Cordoning off the memorial with appropriate material
- Mechanical support to the memorial (i.e. wooden supports). These will be placed discreetly to help support the memorial whilst the Council attempts to contact the grave owner.
Re-fixing the memorial using an M3 polymer fixing compound (guaranteed for a minimum of 6 years)
Setting the memorial into the ground
- Laying down the memorial if absolutely necessary.

Where a memorial has been temporarily supported, supports will remain in place for a maximum of 12 months, after this the memorial will be set in the ground, laid down or refixed using an M3 polymer jointing compound.

RECORDING

Recording of Inspection

Inspections shall take place utilising data currently held on the administration database and all records shall be completed electronically. All memorials will receive an inspection in accordance with procedures identified previously in this policy, and any memorials which fail the inspection process, and are considered a significant risk to members of the public, shall be recorded onto the electronic database indicating the following:

- Section
- Grave Number
- Name of First Interred
- Memorial Type
- Stone Type
- Size
- Defects
- Action Required / Comment – indicating what action will/has been taken to make the memorial safe, or comment on the existing condition of the memorial (e.g. already laid down / fallen etc.)
- Priority
- Date of notification to family
- Date of Inspection
- Initials of Inspector

CONTACTING THE COUNCIL

Sunderland City Council is aware of the sensitivity of the work carried out in cemeteries and this memorial safety policy addresses the need to maintain a sensitive approach whilst addressing health and safety issues relating to potentially unstable memorials within the Council's cemeteries. Should anyone have any queries or concerns regarding this Memorial Safety Policy then they should contact:

Nicky Rowland, Bereavement Services Manager, Sunderland City Council

Tel; 0191 5618133 Email: nicky.rowland@sunderland.gov.uk

METHOD OF WORK

1. Memorial safety inspections will generally be carried out by two operatives working as a team although a single operative may carry out inspections in accordance with a suitable risk assessment that takes account of lone working. Only staff trained to the industry best practice standards shall be eligible to carry out safety inspections on headstones/memorials.
2. Prior to the inspection taking place a task based 'Memorial Inspectors' risk assessment shall be prepared and issued to inspection staff. As part of the risk assessment Personal Protective Equipment (P.P.E.) will be identified and must be worn at all times, this will include safety footwear, hard hats (as required for larger jointed memorials) and gloves.
3. Upon entering the burial ground, with the intention of carrying out an inspection of memorials, all operations shall be carried out in a manner that takes cognisance of hazards and potential dangers within the whole site. A documented site risk assessment, together with a current 'Memorial Inspectors' risk assessment shall be in place prior to inspection.
4. The documented site risk assessment provides focus for the inspection. This will be carried out in accordance with the training given, in compliance with industry best practice standards and using the Council's assessment form (attached to these procedures).
5. Staff carrying out inspections must always be aware of memorials that are made-up of more than one section and where foundations may be unstable. Staff will always examine the top section first and work down the memorial, this avoids such elements of the memorial falling and potentially causing injury during any inspection. Suitable hard hats will be worn when inspecting such memorials where jointed elements extend above head height.
6. Any ornament on the top of the stone will be inspected with extreme care as these objects may create a great risk to the safety of the memorial inspector and others. Where vegetation is growing close to such elements recommendations will always include the trimming of vegetation away from such memorials if required.
7. The hand test will be carried out standing in front, but to one side, of the headstone where possible and a gentle pressure/force will be gradually increased until a force approximating 25kg (250 Newtons) is applied. This force shall be exerted in one direction, away from the body and shall be repeated from the back of the memorial. Other hand tests from the sides of the memorial may also be required on certain designs. The force shall be applied at the apex of the memorial or a high up the memorial as can comfortably be reached.
8. A memorial will only fail the safety inspection if it will move and continue to move until it would potentially fall to the ground under an initial firm but reasonable force approximating 25 kg (250 Newtons). Memorials that move but do not show potential to fall to the floor following the 'initial' force, will not be considered unsafe.
9. Should a memorial fail the hand test a mechanical measuring device may be used, simply to confirm the force at which the memorial had failed. The measuring device will 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 regular use on memorials taller than 1.5m
10. The routine use of staking, to make a memorial permanently safe, is not considered appropriate by London Borough of Richmond upon Thames. If a memorial is found to be unsafe following the above inspection process consideration will be given to the following options:
 - a. A warning notice will be placed on every occasion a memorial is considered unsafe

- b. Setting in the ground
- c. Cordoning off using appropriate material
- d. Refixing using M3 polymer jointing compound
- e. Staking
- f. Laying flat

The decision on the type of make safe procedure to use will be based on an assessment of the risk posed by the memorial and the probable visitation by owners of the memorial rights. Should a temporary measure be used to make the memorial safe this will be inspected on a regular basis whilst it remains in place.

11. All memorials will be inspected on the initial inspection. Subsequent inspections will be carried out based on completing around 25% each year, with the objective of ensuring all memorials receive an inspection at least once every 5 years.

Memorial Safety Risk Assessment

Cemetery: _____

Section / Area: _____

	Memorials		Access / Traffic		Environment
1	Monolith memorials	1	New lawn section – well maintained	1	Inaccessible / No visitation – overgrown
2	NAMM Fix Memorials or below 500mm	2	New lawn section – average maintenance	2	Away from roads / paths – seldom visited
3	Lawn memorials – back to back	3	Older lawn section	3	Accessible – reasonable numbers
4	Lawn memorials – not back to back	4	Older section no kerbs	4	Signs of misuse in area
5	Kerbed memorials under 1m	5	Older section with kerbs	5	Accessible – well visited
6	Memorials from 1m to 1.5m	6	Old section, kerbs, vaults – reasonable maintenance	6	Adjacent to well used roads and footpaths
7	Old jointed memorials over 1.5m	7	Old section, kerbs, vaults – poor maintenance	7	Very well visited – ongoing burials in section

Activity rating number (Memorials + Access / Traffic + Environment):

Additional comments:

Action required to be taken:

Date of assessment: _____

Date of validation: _____

Assessors signature: _____

Validators signature: _____

Print name: _____

Print name: _____

Council Memorial Safety Assessment

SCORE SHEET

Note: A memorial should only be considered as unsafe if it moves and will continue to move until it falls to the floor under an initial firm but reasonable force (suggest a force approximating 25kg).

3 – 10 **Low Risk** – Visual inspection only. Please notice only if a memorial is found to be unstable unless the memorial is considered an immediate danger and could cause a serious injury, should this be the case then alternative making safe methods should be considered and implemented. If individual memorials are considered a higher risk then these should be inspected using a visual followed by a hand test.

11 – 16 **Medium Risk** – The area have an initial visual and had test on every memorial using experienced / trained staff. Should memorials may need specialist inspections.

A full inspection on a minimum frequency of 5 years I recommended. Any memorials showing early signs of instability should be monitored every 12 months. Memorials that are found to be unstable should be have notices placed and should be set in the ground, cordoned off, temporarily supported, repaired, or laid down immediately.

All action must be based on the likelihood of injury and should be proportionate to a medium risk area.

+17 **High Risk** – Area will need a visual and hand test on every memorial using experienced / trained staff. Some memorials may need specialist inspections.

Memorials will require full inspection on a minimum frequency of 5 years. Any memorials showing early signs of instability should be monitored every 12 months. Memorials that are found to be unstable should be have notices placed and should be cordoned off, temporarily supported, repaired, or laid down immediately.

All action must be based on the likelihood of injury and should be proportionate to a high risk area.

Actions: 1 – Laid down, 2 – Pocketed, 3 – Re-inspect 1 year, 4 – Re-inspect 5 years, 5 – Other.