

# Memorial Safety Policy and Procedures

London Borough of Richmond upon Thames

June 2017

## **Memorial Safety Policy**

Awareness of the potential dangers of memorials were heightened in 1995 when there was a death caused by a memorial falling on a young girl in Toxteth Cemetery in Liverpool. In response, the Confederation 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.

However, due to more of an emphasis on health and safety and with little consideration to a proportional and sensitive approach to the issue, some authorities were subject to considerable criticism and public concern was also raised about the methodology employed by some authorities. This resulted in a review of the memorial safety guidance carried out by the Ministry of Justice. The review was led by the Health and Safety Executive with a sub-group comprising of burial ground operators, memorial masons and cemetery managers. The insurance industry and the Local Government Association were also consulted.

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. The guidance was supported by most organisations on the sub group and represents good practice on the standard expected in the risk management of memorials in all types of burial grounds, public, private or ecclesiastical. It is likely that the good practice detailed within the Ministry of Justice guidance, will be used as a basis of any investigation that may be carried out by the Health and Safety Executive throughout the UK. With this in mind, the Council has now received training to the new standards and has developed systems for the safety of memorials, now outlined in this memorial safety policy. The policy is based on the Ministry of Justice guidance and provides details on how the Council will follow the guidance.

In May 2015, an eight year old boy was killed by a falling memorial in Craigton Cemetery in Glasgow. During the recent inquest it appears apparent that suitable systems were not in place for the inspection of memorials. This has heightened awareness of the dangers posed by memorials in burial grounds and UK Parliament has now issued further guidance on "[Unsafe Memorials in Cemeteries](#)" in January 2017.

The Council has now revised systems in place to control the risks from memorials to their employees, contractors, friends' groups, volunteers and members of the public. We owe a general duty of care to all those who use London Borough of Richmond upon Thames cemeteries and closed churchyards.

London Borough of Richmond is responsible for the following cemeteries:

- East Sheen
- Hampton
- Old Mortlake
- Richmond
- Teddington
- Twickenham

In addition to the above, the London Borough of Richmond upon Thames are also responsible for the following closed churchyards:

- Barnes Old Cemetery, Barnes
- Holly Road Garden of Rest, Twickenham
- Oak Lane, Twickenham
- Richmond Old Cemetery, Richmond
- St Andrew's, Ham
- St James's, Hampton Hill
- St Mary Magdalene, Richmond
- St Mary the Virgin, Hampton
- St Mary the Virgin, Mortlake
- St Mary the Virgin, Twickenham

- St Mary with St Alban, Teddington
- Vineyard Passage, Richmond

## PURPOSE OF MEMORIAL SAFETY POLICY

To provide a consistent system of managing the safety of memorials within the London Borough of Richmond upon Thames, 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:

- Carry out a documented risk assessment to develop a profile of risks on each burial site – Richmond upon Thames cemeteries will be assessed 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 cemetery will be assessed to identify areas of high, medium and low risk, this will then be recorded on a site plan.
- Identify hazards in relation to memorial safety - Any memorials within any of Richmond upon Thames's cemeteries that are potentially hazardous to the public will be identified by following the 2009 Memorial Safety Guidance.
- Decide who might be harmed and how – London Borough of Richmond upon Thames 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.
- 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
- Record findings and implement them - Every memorial within the London Borough of Richmond upon Thames'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.
  - 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, or its nominated contractor, will:

- Ensure notices are displayed within the Cemetery grounds. This is to warn the public of the potential dangers of memorials, advise the public 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.
- Issue press releases and/or 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.
- When memorials are found to be unstable, letters to grave owners will be issued, 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. Civic Pride funding will also be considered in cases where memorials are of high heritage or amenity value.

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, or its nominated contractor, will:

- 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.
- 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.

\* There is a duty placed upon the authority and the inspectors to take due care of the heritage of memorials within the site. It will be the responsibility of inspectors to be able to identify styles of memorial or memorials that may have other heritage interest and treat them with due care should such memorials be found to be unstable.

- Carry out a hand test – the test will be used in accordance with the assessed level of risk.
- 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.
- 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 sufficient, 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 the majority of 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 sufficient.

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) – Is considered to be an immediate risk of toppling and causing serious injury. 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) – Is considered to have 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) – Is considered to be of 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, in the interests of public safety, be monitored every 12 months, where this is considered necessary. 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 or repaired. Decisions on whether to invoke the 12 monthly monitoring or the 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 include a decision on 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 more 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**

Irrespective of whether a memorial lies within a high, medium or low risk area, if 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, in accordance with the training provided and in consideration of the following options. 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, 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
- 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 Inspection
- Initials of Inspector

## **CONTACTING THE COUNCIL**

London Borough of Richmond upon Thames 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:

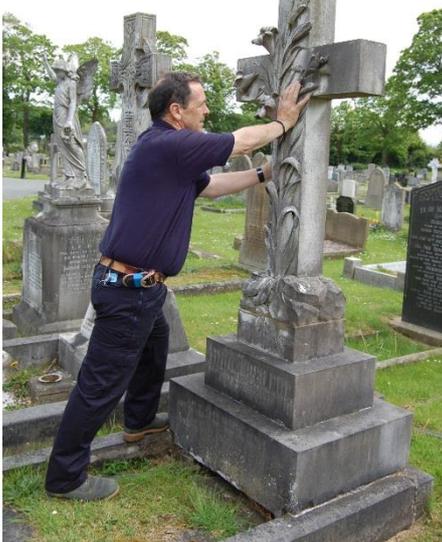
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## Appendix 1

### 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.



Correct testing stance - smaller memorial

Correct testing stance - larger memorial

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 warning notice will be placed on every occasion a memorial is considered unsafe
  - Setting in the ground
  - Cordoning off using appropriate material
  - Refixing using M3 polymer jointing compound
  - Staking
  - 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.

Appendix 2

**Memorial Safety Risk Assessment Form**

<b>Cemetery</b> .....
<b>Section/Area</b> .....

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

Activity rating number: (memorial+access/traffic+environment)

Additional comments:

Action required to be taken:

Date of assessment:	Validated by (Print)
Assessors signature:	Signed
Print name	Date

Score sheet - please see overleaf

## **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. Place 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 hand test on every memorial using experienced/trained staff. Some memorials may need specialist inspections.

A full inspection on a minimum frequency of 5 years is 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 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 high risk area.

