



Memorial Safety Policy

This policy was adopted by Harbury Parish Council on 23 September 2021. Next review due in September 2024.

1. Introduction

The intention of this policy is to set out how Harbury Parish Council will manage any risks to health and safety from memorials in Harbury Cemetery in a practical and appropriate manner to ensure that the cemetery is a safe place to work and visit. The policy includes the safety testing process and the measures to be taken when a memorial is found to be unsafe. This policy takes account of the council's legal duties under the Local Authorities Cemeteries Order 1977, Health & Safety at Work Act 1974, Management of Health & Safety at Work Regulations 1999, and the Occupiers Liability Act 1957.

2. Memorial Safety Inspections

Memorials will be tested every 5 years as recommended by the Health & Safety Executive. All inspections will be carried out by suitably trained persons in accordance with the guidance provided by the Institute of Cemetery & Crematorium Management and the Ministry of Justice for the management of memorials. Prior to carrying out any safety inspections, the council will publicise the inspection by way of notices in the cemetery, village noticeboards, and the parish council's website.

3. Carrying out the Inspection

The inspection team will comprise two people carrying out the checks on each memorial and one person recording the results. The inspection team will be closely followed by the council's grounds maintenance contractor who will make safe those memorials identified by the inspection team as requiring immediate action. A risk assessment will be completed for each memorial tested. This assessment will identify the level of risk for each memorial and whether further action is required to control that risk. The inspection will include a visual check and a hand test. The visual test will identify signs of any defects and the hand test will be used to determine the stability of the memorial.

The following checklist will be used for the visual inspection:

- Are joints intact?
- Are kerbs broken?
- Are foundations intact?

- Any vegetation issues?
- Any visible faults or cracks?
- Is the memorial leaning?

The hand test will be carried out by a person standing to one side of the memorial and using both hands to apply a firm and steady pressure in different directions. This will be used to identify whether the memorial is unstable and if so, to what degree it is unstable, which will enable the correct level of risk to be determined and appropriate control measures applied.

4. Unsafe Memorials

On completion of the inspection of each memorial, the level of risk will be classified as follows:

- Priority 1 – immediate action to be taken to make memorial safe and prevent anyone accessing the memorial.
- Priority 2 – memorial is not an immediate danger but is not fully stable and will therefore require testing every 12 months to assess any further deterioration.
- Priority 3 – memorial is perfectly stable and safe. Re-inspect in 5 years' time.

Where a memorial has been classified as priority 1, immediate steps will be taken to make the memorial safe while the council contacts the memorial owner(s), as follows:

- Memorials up to 1 metre high will be laid down by the council's grounds maintenance contractor. A safety notice will be fixed to the memorial and the council will take steps to contact the owner.
- Memorials over 1 metre high, or any memorial which is judged to be too large or heavy for the council's grounds maintenance contractor to manage, will be cordoned off and a local memorial mason with specialist equipment will be employed to lay it down safely. A safety notice will be fixed to the memorial.
- The council will make every effort to contact the owner of the memorial or their descendants. In addition, a complete list of all memorials identified as unsafe will be displayed at the cemetery and on the village noticeboards and parish council website www.harbury-pc.gov.uk.

If, after a period of 12 months, the council has been unable to contact the memorial owner, or their descendants, the council will consider the following options:

- Memorial to be permanently laid flat.
- Memorial to be partially buried in the ground.
- Memorial to be repaired (if no owner can be found, but the memorial is considered to be of heritage or amenity value, the council may decide to repair it. In these circumstances, if any relative comes forward at a later date, they would be asked to pay for the cost of repair).

Where the memorial owner has been contacted but is unwilling, or unable, to have the memorial repaired, the owner will be given the choice to either have the memorial partially buried or permanently laid flat.

5. Record Keeping

The council will keep a record of all memorial inspections carried out which will include:

- The name of deceased and the plot number.
- Type of memorial, i.e. lawn, traditional etc.
- The date of inspection.
- The names of those who carried out the inspection.
- Description of any visual defects.
- The risk classification, i.e., priority 1, 2 or 3
- Control measures.
- Any further action to be taken.
- Date of the next inspection.

6. Procedure for Contacting Memorial Owners

At least 28 days prior to commencement of the safety inspection, a public notice will be displayed in the cemetery, on village noticeboards, and on the council's website. The notice will explain how, why, and when the inspection will be carried out and how people can obtain further information.

If a memorial is found to be unsafe, the council will make every effort to contact the memorial owner and ask them to have the necessary repairs carried out. The method of contact will be via:

- A notice attached to the memorial asking the owner to contact the council.
- A letter* sent to the last known address of the memorial owner.
- A public notice listing all unsafe memorials will be displayed at the cemetery gate, village notice boards, and on the council's website.

*The letter to the owner will inform them that their memorial has been found to be unsafe, what action the council has already taken, e.g., laying flat or cordoning off, and that repairs are needed which must be carried out by a qualified and BRAMM** registered memorial mason. If no response is received after 3 months, a further letter will be sent. If there is still no response after 6 months, a third and final letter will be sent. At the end of 12 months, if there has still been no contact with the owner, the council will consider permanent options as described in [4. Unsafe Memorials](#) above.

**British Register of Accredited Memorial Masons