



EYE TOWN COUNCIL

Health and Safety Policy
for Eye Town Cemetery

December 2023

Eye Town Cemetery Health and Safety Policy

1. Legislative Requirements

Under the Health and Safety at Work Act 1974 and associated regulations and guidance, Eye Town Council must take all necessary steps to comply with every aspect of health and safety in the management of its assets and public spaces. It is required to do so through regular risk assessments and proposed actions to minimize, eliminate or control the risk to employees, visitors and contractors who use its assets.

This policy is based on the requirements of the H & SWA 1974, the Management of Health and Safety at Work Regulations 1999 and the guidance provided by the Institute of Cemetery and Crematorium Management.

2. Recognised risks in cemeteries

Cemeteries pose a number of hazards which the Council must address in its management of the site, especially in relation to grave digging and the erection and maintenance of headstones and larger memorials. Also, it must ensure that all potential hazards arising from buildings, horticulture, paths and roadways are identified and risk assessed. The Council also has to be especially aware of the safety of disabled visitors to the cemetery in relation to trip or slip hazards, uneven ground, rabbit holes, tree roots, undefined edges to pathways and roadways, and the need for appropriate signage to warn of potential hazards.

The H & S at Work Act requires risk assessments to be undertaken regularly and should be assessed against a specific category of risk to prioritise the action (if any) required to protect the visitors to the cemetery.

Safe conditions in the cemetery rests with four main parties:

- **The Council (Burial Authority)**

As described above.

- **Funeral Directors**

A duty of care to employees and bereaved families attending funerals and a duty to ensure that their appointed grave diggers comply with all safety requirements while on site.

- **Memorial Masons**

A duty to ensure all work on memorials is carried out in a safe manner and the memorials are secure and safe.

- **Owners of memorials**

They have the primary responsibility for the safety and maintenance of memorials.

3. Eye Town Council's responsibilities under H & S legislation

Eye Town Council must undertake its own risk assessments of the entire burial ground annually and assessments should be made of the following:

- Pruning of trees and roots and any other vegetation causing concern
- Care of grave areas, including removal of kerbstones and memorials where appropriate and checking for subsidence
- Care and cleaning of pedestrian and vehicular access routes and pathways to ensure they are clear of rubbish, leaves etc and attend to potholes
- Chapel maintenance
- Maintenance of boundary and internal walls, gates and fences
- Rubbish clearance
- Upkeep of signs and notices
- Ground levelling, as necessary
- Pay attention to grass areas which are overgrown since they may mask hazards
- Access (see Disability Discrimination Act 1995)

The digging of graves and erection of memorials or removal of memorials will be covered on a needs basis and risk assessments will be carried out by whoever commissions the work. Graveside preparation and protection are an important part of compliance with safety regulations.

The Council is obliged in law to cordon off any areas it considers poses a risk to the public, employees or contractors and to undertake any repairs it deems necessary to minimize, eliminate or control such risks.

Other safety risks in the cemetery include:

Balloons
Glass
Ceramic containers
Lighted candles

These items are not allowed in the cemetery and the Council reserves the right to remove such items that are considered a safety risk.

The council operates a no-smoking and no alcohol policy. Games are not permitted and dogs are required to be kept on leads at all times. Dog waste should be removed by the owner.

The speed limit in the cemetery is 10 mph to ensure pedestrian safety. Cycling and skateboarding are not allowed.

4. Rolling Programme of Safety Checks of existing memorials in the cemetery

The full procedure is attached as appendix 1 of this document.

a. Safety Inspections of memorials, kerbstones, foundations

The Council has an agreed Safety Inspection Programme detailing the method, timescales and actions to be taken in relation to memorials and kerbstones.

Visual safety inspections to look for signs of damage and testing by hand to identify instability will take place annually in November/December. This will be undertaken by a minimum of two councillors who have undergone appropriate training and any concerns will be conveyed by the Town Clerk to the owner(s) of the grave. In the event of serious damage or hazard to public safety then the Council reserves the right to lay the headstone down and cordon off the area and to seek further testing from a SIAM (Safety Inspection and Assessment of Memorials) qualified inspector. However, this should only be done after the owner has been notified of the issue and the options available to them to make the memorial safe.

Other temporary measures such as providing some support to the memorial (propping or banding) will be considered but only if safe to do so. Any action required will only be taken with the consent of the owner of the grave: in the event that the owner cannot be traced the Council will follow the advice provided by the ICCM (Institute of Cemetery and Crematorium Management).

A hazard notice should be placed on the grave with details of who to contact at the Council.

b. Notices of Inspection

Notices will be placed in the cemetery of the annual inspection and also of specific headstones which are of concern.

c. Recording of findings of inspections

A record will be kept of inspections and the steps taken to remove the risk.

d. War grave memorials

War grave memorials identified for formal testing will be referred to the Commonwealth War Graves Commission (CWGC).

5. Health and Safety requirements of contractors

In any cemetery, there will be a requirement to maintain the grounds and this will be done by contractors. Contractors will be required to provide their own risk assessments and method statements. These should be provided prior to commencement of work.

Gravediggers are normally appointed by a funeral director (on behalf of a client) and will be subject to the same rules as Grounds Maintenance contractors (ie they must undertake risk assessments and produce method statements). Memorial masons also can be appointed by the Council (to undertake repairs), the client (for the erection of

a memorial or to effect a repair or amendment to a memorial) or the Funeral Director (on behalf of their client) and are subject to the same requirements relating to risk assessment and method statements.

6. Insurance and public liability cover requirements for contractors

The Council requires all contractors to submit appropriate documentation to demonstrate they have the appropriate insurance and public liability cover in the event of an accident arising in the course of the work they are undertaking. This needs to be done prior to commencement of work.

7. Training

The H & S at Work Act 1974 recommends that all business, public bodies ensure that any person undertaking work on their behalf should be suitably trained. The ICCM offers relevant training to Burial Authority employees and councillors in relation to the management of a cemetery and the necessary safety inspections which are needed.

Eye Town Council will ensure that its members and employees receive training as appropriate.

8. Review

This policy will be reviewed annually and Eye Town Council reserves the right to make amendments to reflect any changes in the law governing health and safety of the cemetery. This policy comes under the umbrella of Eye Town Council's general Health and Safety policy.



Eye Town Council

**Safety Check Procedure for Memorials
in
Eye Town Cemetery**

Introduction

The Council's Health and Safety policy and safe working practices should be observed when undertaking any inspection of memorials. This includes undertaking risk assessments, and the wearing of appropriate safety clothing and shoes.

Eye Town Council does not permit memorials to be erected within 12 months of the burial to give enough time for the earth to settle in the grave space to minimize risk of destabilizing the memorial.

Rolling Programme of Inspection of Memorials by the Town Council

The inspections will be undertaken as part of a rolling programme. The Institute of Cemetery and Crematorium Management recommends that a burial authority should carry out regular inspections on their existing memorials, at least once every 5 years. However, where there is cause for concern about a memorial raised outside of the full inspection programme, action must be taken as soon as possible.

1. Visual Inspections by nominated Councillors

The visual inspection will note:

- the condition of the joints
- the stability of the memorial
- any leaning of the memorial
- the condition of the base plate
- the appearance of cracks
- the damage caused by vegetation
- the condition of the foundations
- the condition of kerbstones
- the condition of memorial vases and whether they are secure
- any degree of soil movement or subsidence

2. Handcheck method:

- 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.
- If any instability is detected following the hand test, then the level of risk should be determined.
- Large memorials should only be tested by a competent qualified inspector/stonemason (S.I.A.M qualified).

3. Recording of any safety check undertaken

A record of any safety check undertaken will be kept by the Town Clerk to show the date of the inspection, the level of risk (high, medium, low) and the condition of the memorial (Category 1 – 3 see below), the action to be taken including a date for reinspection. The safety check form should be fully completed and the documents should be retained by the Town Clerk as a formal record under its Health and Safety Risk Assessment Procedure for the cemetery.

4. Safety risk categories

Category 1

High risk: unstable, unable to be laid down safely and, therefore, requires immediate action: contact owner of grave to advise them of the issue(s) and what action they need to take. A judgement needs to be made to refer for inspection by S.I.A.M inspector for formal report, in the event that there is any dispute with the owner of the grave or the owner cannot be traced.

Category 2

Medium risk: unstable but can be laid down to reduce the risk of harm to public/employees and then cordoned off. Owner(s) to be contacted to advise them of risk and action already taken and then discuss further action which the owner needs to take.

Category 3

Low risk: stable and requires no immediate action: reinspection in 1 year.

5. Immediate action to be taken for Categories 1 and 2

In the event that a serious safety hazard is identified, (see Level 1 and Level 2) the area should be cordoned off and a warning sign erected to ensure that the public avoid the area. A judgement needs to be made in the case of a memorial which is deemed high risk and needs to have further testing by a qualified Safety I.A.M inspector. Having identified the risk, assessed the level of the risk and identified the people who are at risk (visitors, employees, contractors), the information should be formally recorded and a note should be made of the priority of the work, the timescale to effect the repair and the steps taken to inform the owner(s). (See Paragraph 7).

NB the owner of the grave must be contacted immediately: in the event that the ownership of the grave has lapsed, then the Council must make take the necessary action to reduce the hazard.

Special care should be taken in relation to the memorials at the edge of pathways or access roads.

6. When Remedial Action is required by the owner(s)

a) In the event that remedial action is necessary, the owner(s) of the grave must be contacted and advised of the steps to be taken to repair the memorial. The following information should be provided:

- the issue identified during the inspection;
- the owner's legal responsibility for the upkeep and safety of the memorial;
- any repair/reinstatement of the memorial must be undertaken to an approved specification (British Standard 8415:18);
- the timescale for the repair to be completed;
- the action the Council may need to take if they fail to undertake the repair including the consequences of failure to cover any costs incurred by the Council.

b) If the owner(s) cannot be traced or the owner(s) cannot or will not pay for remedial work then the Council has the following options:

- place the memorial flat on the ground over the grave (with warning notices for the public)
- bury the memorial up to a third of its height (making it safe)
- remove the memorial and ask the owner(s) to collect it, and failing that, the town council will dispose of it.

The Council also has the option of paying for the memorial repair or reinstatement and place a debt against the grave. No further burials can take place until this debt is cleared. This has to be balanced against all safety risks and the financial burden on the Council.

7. Timescale for repairs to be undertaken

The Council requires all repairs to make the memorial PERMANENTLY safe to be undertaken within 18 months from the written notification to the grave owner(s) or family of the grave owner(s). Any temporary repairs must be made as soon as possible. In the event that the repair cannot be undertaken within that timescale, due to circumstances beyond the control of the grave owner(s), then the Council will consider an extension of the period.