

APSE briefing 19/28: Burial Ground Memorial Safety – Guidance for Scotland’s Local Authorities

Key Issues:

- The guidance produced by Scottish Government has resonance across all UK local authorities and is therefore a useful document for all Bereavement services to be aware of. Click [here](#) to view guidance.
- The document aims to provide good and effective practice to be included in local authority memorial inspection programmes based on the Health and Safety Executive’s **Five Steps to Risk Assessment** which are:
 1. *Identify the hazards.*
 2. *Decide who might be harmed and how.*
 3. *Evaluate the risks and decide on precautions.*
 4. *Record your findings and implement them.*
 5. *Review your assessment and update if necessary.*
- The guidance is not limited to specific types of memorials, but addresses all aspects of all memorial safety by placing an emphasis on having a robust recording and reporting procedures for all memorial inspections to ensure staff and visitor safety.
- The guidance will allow local authorities to review and reassess current practices and thereby facilitate a greater level of consistency across local authority memorial safety procedures.

Background

The Scottish Government produced the guidance in response to recommendations made in January 2018 following a Fatal Accident Inquiry (FAI) into the death of a child. In

considering the recommendations made in the FAI, the Scottish Government examined the feasibility of defining how 'large' memorials should be described and inspected.

During discussions with experts involved in burial ground management, it became clear that there are many factors which contribute to the stability of a memorial including height, weight, design, lean, topography, vegetation cover, proximity to other memorials, structures, walls or paths etc. and that guidance on memorial safety should take account of a wide variety of factors.

The guidance therefore is not limited to the inspection and maintenance of specific types of memorials e.g. based upon height. It instead addresses the management of all types of memorials, taking into account every factor that may affect a memorial's stability. It sets out that a local authority should fully understand the extent of their burial grounds and account for every memorial within each of those grounds.

Therefore the guidance advocates an active management programme that means all memorials, regardless of size, are examined and fully inspected relevant to their individual circumstances. It places an emphasis on having in place robust recording and reporting procedures for every memorial inspection including ongoing assessment, to ensure everyone can safely visit burial grounds now and in the future.

Local authorities will be able to use this guidance to review and reassess current practices, which will facilitate a level of consistency across the local authority burial sector in relation to memorial safety.

It should be noted that by adopting this approach, local authorities are not taking on ownership of memorials, or in the case of Scottish authorities lairs, responsibility continues to remain with the owner of these items. Where a burial authority is unable to locate a memorial or lair owner, it is a decision for each authority about what repairs they may carry out on an unsafe memorial, followed by action taken to make that memorial safe.

As a further benefit, this guidance can also act as a first step towards an authority drawing together or updating a comprehensive burial ground management plan. This may include all elements of burial ground management in addition to memorials e.g. boundary walls, burial aisles, ruined structures, railings, soil conditions, roads and path infrastructure, vegetation and trees, lighting, etc.

Detail

The safety of staff and visitors in burial grounds is a statutory obligation for local authorities. The guidance intends to assist local authorities to manage their burial grounds effectively and safely. Failure to effectively monitor and manage burial grounds, including both modern and historic memorials (and larger memorial structures) within burial grounds under local authority control presents a risk to the local authority.

The sections set out in the guidance set out a number of topics which will be relevant for any local authority inspection programme, along with suggestions of how to enhance that programme's effectiveness. The information provided by the guidance is not exhaustive or prescriptive, but instead may act as a reference or guide for implementing a more comprehensive memorial inspection programme.

The design, construction and materials used for memorials across the UK is very diverse, and there are a number of terms used to describe various types of memorials e.g. modern lawn type, monolith, large traditional, obelisk, cross and die, full grave headstone with kerbs, ledger, tablets, etc. What is important is that every assessor involved in any memorial inspection programme possesses a common understanding of the descriptors and definitions, used by their burial authority in order to ensure consistency of description.

The actions employed for assessment, inspection and making safe are dependent on each memorial's size, stone type, its orientation (lean), its method of construction and overall condition. Any associated factors that currently or may potentially affect a memorial's stability such as subsidence, soil erosion, tree roots, adjacent excavations etc. can also be taken into account.

Pre-Inspection

Failure to suitably advise memorial and lair owners and visitors of the presence, potential impact and related corrective action of a memorial inspection programme of any scale may easily cause further distress and there is no guarantee of accurate memorial/lair ownership details, certainly with regards to older memorials, To mitigate this, other options can be used to make both the public and memorial and lair owners aware of any memorial inspection programme, in addition to direct contact. The use of digital means e.g. Twitter, Facebook, authority webpages, etc. is acceptable as well as noticeboards, free-standing-signs, local press.

The guidance provides a comprehensive list of those other than the public and memorial owners such as local councillors, funeral directors, heritage organisations, Commonwealth War Graves Commission, local press etc. This approach can also be taken with regards to the need to cordon off and make safe a memorial prior to the commencement of remedial works.

Site and Zoning Risk Assessment

In order to prioritise a memorial inspection programme effectively, an assessment of the area of local authority control should be carried out. To achieve this, burial authorities would complete a risk assessment of all their burial grounds and from this produce a priority list for memorial inspections.

During such a prioritisation process it is essential that each burial authority understands the extent and character of their burial grounds, to effectively undertake a comprehensive memorial inspection programme. This assessment should include: catalogue and location map of all burial grounds, physical condition of the site and its infrastructure, number and frequency of interments, levels of maintenance, historical or cultural significance, ground stability, memorial type, size, design, age etc and importantly frequency of public visits and is the site used for any other amenity uses. All these factors will help develop a series of priorities around which inspection programmes can be based.

Inspection

Each memorial inspection can be considered a unique risk assessment and every risk assessment should be proportionate with the potential risk presented by each memorial. This approach will assist in preparing and implementing appropriate assessment procedures and carrying out any remedial actions necessary to remove an immediate hazard.

In order to carry out these assessments burial staff will need to receive full and detailed training from appropriately qualified persons including local knowledge in respect of the burial ground layout and local conditions. Inspections need to be both visual and physical.

Visual inspection

The first stage of any memorial inspection and determines how further inspection or action progresses. The dimensions of the memorial, its angle of lean, loose or damaged components and its overall condition will dictate continuing inspection.

This initial (360 degree) visual inspection of all sides of the memorial from a safe distance will act as a check of its general condition and identify any obvious signs of damage, wear and tear or lean. Ornamentation above shoulder height, if present should also be checked. This initial visual inspection may include an assessment of the foundation (where visible) and the surrounding area e.g. incline, dips, tree roots, vegetation cover etc.

If the memorial is deemed unsafe procedure need to be in place to undertake 'make safe' precautions, and findings and actions taken are photographed and recorded. If the memorial is large and there is a clear danger to the inspector then on occasion an external expert may be needed to carry out remediation.

Physical Inspection

Where the appropriately trained assessor is satisfied that an inspection can be carried out safely, then a physical inspection can be carried out. It is recommended inspections be completed by a minimum of two persons which will allow quality assurance and corroboration. The inspection usually takes the form of a hand pressure test by a trained assessor who will consider all factors which may compromise safe completion of the test.

This type of test is usually confined to modern lawn memorials. Larger heavier memorials may require more specialist assessment may be needed. If any defects are found in any memorial particularly large ones then the memorial should be suitably cordoned off in conjunction with any appropriate temporary measures to make safe. All inspections should fully incorporate the HSE's 'five steps to risk assessment principles.

Recording

Accurate record keeping is essential to ensure all details for each inspection together with actions taken. These need to be kept in an accessible and appropriate format in order that any communication with interested parties is available.

Re-Inspection

Frequency of re-inspection needs to be well-defined as the outcome of each inspection will determine future action. Usually inspections give a pass or fail score with a further element which sits between the two showing an intermediate rating and flagging for earlier re-inspection e.g. in two years as opposed to the usual five years. This approach may be supplemented by procedures for recording concerns raised as part of daily work activities.

Recording and Communication

Accurate records of each element of the inspection and assessment is essential especially as they will be consistently referred to in relation to outcomes and future actions needed. Including photographs is also important. Electronic recording systems are therefore more appropriate. The guidance note provides a detailed list of the elements needed to be included as part of the recording system. Appropriate recording should be robust enough to ensure that all the relevant tiers of management are aware of these outcomes and the record can be easily accessed. This will also include the need to contact or consult relevant parties and/or obtain consents or licences for work. Some authority bereavement services use specific software administration packages that have modules or elements which will provide inspection recording via hand-held units. There are also readily available packages which have the assessment record, a photograph and a mapping reference stored together in the register of memorials and lairs, depending on the software package.

Exploration of the feasibility of utilising these types of recording methods is encouraged as best practice.

Methods of Making Safe

The inspection of memorials is a permanent responsibility and therefore any methods used to make memorials safe itself becomes part of the inspection process, including the regular re-assessment of the inspection and re-inspection processes used, but also whether the methods of making safe are still the best option available. Therefore training and properly equipping staff needs to be subject to regular updates, methods of consultation should be reviewed, licences and consents need to be checked and updated, degrees of proportionality to the risk are re-evaluated as are the options/techniques of making safe and external contractors and the quality of their work and methods used are regularly reviewed.

A key point to remember is when making a memorial safe, is that any work should be done in a manner which would allow that the memorial to be readily repaired or reinstalled at a future date by any suitably qualified memorial mason or structural engineer.

The guidance document goes into greater detail about the steps which can be taken to ensure making memorials safe is seen as part of a long-term process rather than a 'quick-fix'. This includes: referring to expert advice, undertaking actual, repairs, issuing public and individual notices regarding work to be carried out, cordoning of unsafe memorials together with sinking in, trenching, staking, tying and laying flat of unsafe memorials and finally the closure of a burial ground or sections of a burial ground.

Future Proofing

The final part of the guidance relates to how the use of burial grounds has changed over time. Burial grounds now offer valuable city greenspace, which places additional responsibilities on cemetery managers who now have to deal with the safety considerations of a wider range of users and visitors. Therefore when considering these needs a more holistic approach to memorial management may be required, one which

considers the wider site management also, including allowing areas to become more naturalised, reducing the amount of herbicides in relation to promoting biodiversity and to some degree memorial decay from reduced chemical use.

Greater consultation with local communities and Friends Groups will also help in making maintenance and memorial inspection more effective. However it is stated within the guidance note, that volunteers should not be used as part of the inspection process as this needs to be carried out by appropriately trained and qualified burial authority assessors or other specialists, such as a structural engineer.

This need for professionalism also needs to be considered when looking at setting minimum standards for memorial installation e.g. BS8415-2018, as this will allow a minimum standard of foundation for all new memorials and can build in significant protection and alleviate potentially complex repairs in the future. In conjunction with minimum standards the application of a memorial mason registration scheme can be considered thereby ensuring all memorial masons operation in local authority burial grounds are qualified and operating to an agreed standard.

APSE Comment

The aim of the Scottish Government's guidance is to assist local authority burial authorities to fully review, reevaluate and update their memorial inspection programmes as required. Its approach is equally applicable across the UK in promoting best practice.

Any inspection programme and its management will be specific to each authority. However by referencing the advice contained within the guidance document, an authority can improve the effectiveness of their memorial inspection programme and wider programme of burial ground management.

It should be noted that this guidance does not negate or supersede any guidance or code of practice published by the HSE and has not been approved by the HSE. Further information on health and safety duties and responsibilities can be obtained from the HSE website: <https://www.hse.gov.uk/>.

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