

BRIEFING NOTE – 24TH NOVEMBER 2010
MEMORIAL SAFETY TESTING

1.0 Background

- 1.1** Birmingham City Council has a duty to ensure the safety of its employees and visitors within the City's cemeteries. A hazard that was identified by the Health & Safety Executive a number of years ago was the risk of injury and, in a number of cases, death from falling memorials. As a result many burial authorities commenced memorial safety inspections to ensure that the risk was minimised.
- 1.2** In March 2004 a Memorial Safety Policy was approved by the Cabinet Member for Transportation and Street Services and memorial safety inspections were carried out in accordance with the relevant national guidelines such as the Code of Working Practice issued by the National Association of Memorial Masons and the special report in respect of Memorial Safety and Local Authority Cemeteries produced by the Local Government Ombudsman until the end of 2008.
- 1.3** In January 2009 the Ministry of Justice issued a Guidance Document offering practical advice to assist burial ground managers to manage the risks presented by unsafe memorials. The Guidance was drafted with the assistance of burial professionals and has been widely endorsed by Ministers, the Health & Safety Executive and the Local Government Association. Burial ground operators are expected to give the guidance very careful consideration when applying methodology for dealing with the potential risk from unstable memorials. This document includes significant changes from previous guidance and memorial safety inspections were suspended whilst full consideration was given and changes made to the existing policy to reflect the current advice. Following consultation with Ward Councillors the Cabinet Member for Transportation and Regeneration, Timothy Huxtable approved the revised Memorial Safety Policy in August 2010.
- 1.4** In the last 30 years 8 people in the UK have been killed when a memorial has fallen on them. It has been indicated by the Ministry of Justice that in the event of a serious accident caused by a falling memorial the Health & Safety Executive may undertake an investigation. In this circumstance they will want assurance that operators have followed the Ministry of Justice Guidelines and have taken sensible risk based proportions and have done all that is reasonably practicable in the circumstances
- 1.5** The amended Birmingham City Council Memorial Safety Policy reflects the Ministry of Justice guidance in that a proportionate and risk based approach is taken to manage the risks associated with unstable memorials.

- 1.6** Bereavement Services has responsibility for 11 municipal cemeteries which have been risk assessed and placed in order of priority. Sections within each cemetery have been categorised into areas of high, medium and low risk. High risk areas will be those where memorials are within a short distance to paths or are in highly visited areas and will be assessed first, moving onto the medium to low risk areas. In line with the recommendations of the Ministry of Justice Guidance document inspections include a visual assessment of a memorial followed by a hand pressure test. Prior to August 2010 the previous inspection regime was more prescriptive in that all memorials below 1.5 metres were tested up to a pressure of 35kg regardless of where they were placed in a cemetery and what the risk of injury to visitors may be.

Whilst it is not standard practice to routinely use mechanical test instruments as an inspection tool, under the Memorial Safety Policy approved in August 2010, where a memorial fails the visual and hand test the stability is then measured by the use of properly calibrated mechanical test instruments to determine the level at which the stability fails and to ensure a fair and consistent approach to the stability test. In the Local Government Ombudsman special report on memorial safety in Local Authority cemeteries it was deemed that a reasonable applied load for a hand pressure test should not exceed 25kg of pressure and this is the guidance that is applied to determine whether the hand test has been reasonable.

- 1.7** Memorials which have been found to be unsafe in high risk areas have generally been made safe by being banded to a secure support system. Those found to be unsafe in areas of medium to low risk are more likely to have warning signs erected next to them to raise awareness that they are unsafe. Where there is a need to support a memorial a wooden stake is placed away from the memorial to reduce the risk of any damage. A wooden block is then cut to size and placed into the space before the soft plastic banding is placed around the memorial. This method should not cause the memorial to move on tightening it merely offers stabilisation. Every effort is made not to obscure any inscription on the memorial during this process.

The inspections taking place are in accordance with a contract awarded following tendering through the City Council's procurement procedures. The contracted company are listed in the British Register of Memorial Masons and the inspectors who conduct and observe the inspections are also qualified memorial masons. They are periodically assessed and have undergone training in memorial safety inspection testing given by BRAMM, British Register of Accredited Memorial Masons.

- 1.8** There are approximately 257,500 memorials within Birmingham City Council managed cemeteries. A total of 62,505 memorial inspections have taken place since memorial safety inspections commenced of which 6,835 memorials have been made safe by a secure support system. 799 have been laid flat within the grave space. It has been recognised practice since the 1970's to install lawn type memorials with an adequate foundation and an appropriate metal dowling system between all components of stone and/or a ground anchor support system. Where testing has been carried out on memorials where this is in place, the failure rate is virtually nil; however it has been found that not all lawn type memorials have been fixed in this manner. Traditional Victorian memorials have proven to be more secure than the more modern lawn type memorials. The majority of memorials at Quinton Cemetery are not of lawn type design or have been fitted in a manner that is very secure. The failure rate in this cemetery is 4%.
- 1.9** In accordance with the policy, the City Council has made public its intentions regarding the memorial inspection process. This has been achieved by discussing the matter with user groups e.g. Funeral Directors, Memorial Masons, Conservation Planning and Friends of Cemetery groups, the Church of England Diocesan Office, consulting with Ward Councillors and displaying highly visible signage within cemeteries. With particular regard to Brandwood End Cemetery we have had notices situated at the entrance to Brandwood End Cemetery for the past 5 years advising of memorial safety inspections within the Cemetery and have subsequently increased them in all areas where the testing has recommenced. We also provide awareness training for cemetery employees and conduct regular briefing sessions for front line employees who meet service users.
- 1.10** It is not practicable to write to every grave owner prior to the inspections taking place, due to the amount of graves within the Cemetery and the administration process, which has proved difficult as many of the grave owners are pre-deceased or have moved address and have not updated records with the office, however we do now plan to add to the information displayed on the notices advising cemetery visitors when inspections are to take place with regard to each section and offering owners the opportunity to be present during the time of the inspections.

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