

STONEMASONS
&
FUNERAL DIRECTORS
REGISTRATION SCHEME

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2 Definitions & Responsibilities

The Council – New Forest District Council (NFDC)

Member / Scheme Member – is any registered participant including any individual or body who has agreed to be bound by this Registration Scheme. This includes their employees, and any other person contracted or instructed by them to carry out works as defined in this Registration Scheme.

Cemeteries Representative – Is any member of staff appointed by the Council Service Manager to carry out Cemeteries administration or supervision work on behalf of the Council.

Memorial – A memorial is a permanent, fixed, typically inscribed, structure used to memorialise the person(s) interred. Memorials include memorial headstones, kerbsets and integrated flower vases.

Memorial Bench - a bench to memorialise a loved one who has been interred within the chosen Cemetery.

Professional Indemnity Insurance - important cover for businesses that give advice or provide a professional service. It can pay for compensation claims and legal fees that may arise if a client suffers a financial or professional loss due to negligence in your work.

Regulations – current version of the Council’s Cemetery Regulations.

Scheme – Stonemasons & Funeral Directs Registration Scheme.

Service Manager – The Service Manager responsible for Cemeteries.

All obligations and requirements of this Registration Scheme with which Scheme Members are required to adhere by are outlined below.

No aspects or obligations of this Registration Scheme may be assigned, subcontracted or transferred to a third party without the written approval of the Service Manager. In any event such approval will only be given to those individuals / companies / other bodies that are already Scheme Members as defined above.

3 Introduction

The Stonemasons & Funeral Directors Registration Scheme (*referred to as “the Scheme”*), establishes a standard level of workmanship and working practices throughout all of the Cemeteries and graveyards administrated by the council.

The Scheme is needed to establish a standard level of working practice within all Cemeteries administrated by the Council, including “closed cemeteries” maintained by the Council.

Registration with the Scheme ensures common standards are practiced by Funeral Directors and Stonemasons for

- Burials
- The installation, repair and maintenance of memorials, both new and existing
- Insurance cover, health and safety and administrative requirements

Through the provision of the Scheme, it is the Council’s objective to identify and promote best practice within the industry by all registered participants.

3.1 Aims of the Scheme

The Scheme aims to achieve three primary purposes:

- To ensure the highest standards of workmanship, competence and customer care and promote industry best practice
- To ensure the safety of those visiting and working within Cemeteries, meeting all relevant standards
- To promote partnership, good long-term working relationships, innovation and development initiatives between all registered participants and the Council.

It is considered that working together will assist all Scheme Members to comply with the Regulations.

Registration emphasises the Council’s intent that all work carried out for and on behalf of the deceased and his family/representatives is of the highest standard.

4 Scope & Administration of the Scheme

Any Stonemason or Funeral Director who works, intends to work, or liaises with clients wishing to any of the Council's Cemeteries is required to be a registered member of the Scheme.

Stonemasons and Funeral Directors who are not Scheme Members are not permitted to work within any Cemetery under the management of the Council.

All Scheme Members must comply with the current Regulations at all times.

All applicants who wish to be considered for Registration must complete and submit Form A1, available on request from the Council (Section 11 below).

This Scheme is administered on behalf of the Council by the Service Manager, with support from the Cemeteries Representatives.

4.1 Requirements of the Scheme

All Scheme Members are required to adhere to the obligations detailed in the Scheme. These are the minimum acceptable requirements of the Council and may be amended and reviewed by the Council's

5 Eligibility

5.1 Insurance Requirements

Stonemasons and Funeral Directors applying for registration are required to be insured for Public Liability to the value of Five Million Pounds (£5,000,000) for any one incident. It is mandatory for all Scheme Members to provide current copies of insurance certificate(s) both in support of an application for membership and whenever these expire during Membership. Work within the Council's Cemeteries will not be processed unless the required insurance is in place.

Stonemasons need to provide copies of certificates outlining:

- Public liability, employers liability and professional indemnity cover.

Funeral Directors need to provide copies of certificates outlining:

- Public liability and employers liability cover.

Before or at expiry of this certificate it is the Scheme Member's responsibility to provide new current certificate copies promptly to ensure on-going membership and maintain permission to work within the Council's Cemeteries.

5.2 Workmanship, Materials and Construction

Stonemasons, Funeral Directors and persons instructed to undertake work on their behalf shall be suitably qualified, experienced and competent to perform all works necessary when arranging and carrying out a funeral. All memorial works, including erecting, dismantling and repairing memorials must conform with current

industry and statutory Health and Safety requirements and guidelines. The materials used should comply with industry recommendations.

Stonemasons and Funeral Directors are encouraged to attain current membership and qualifications from an accreditation scheme operated by a recognised industry body. Examples include the National Association of Memorial Masons (NAMM) or British Register of Accredited Memorial Masons (BRAMM). Copies of such certificates may accompany your application for Scheme Membership. *In-house* company schemes will be recognised if they are demonstrated to meet the required national standards, details will need to be provided when applying for membership.

5.2.1 Stonemasons

All Scheme Members will guarantee all individual memorials for safety and stability for a period of 10 years. Stonemasons must issue a guarantee (no less than 10 years). All guarantees issued must include an obligation to repair/replace all joints and materials that may fail during the course of the guarantee.

Scheme Members may not process or submit an application without first ensuring that the applicant is the current holder(s) of the EROB (Exclusive Right of Burial or Deed of Grant) for that grave.

Scheme Members are responsible for advising their customers on the best use of the memorial stone, to ensure all future internments (burial and subsequent cremated remains) can be included within the Regulations.

Sacrificial stones must straddle the integral space of the excavated grave to prevent subsidence.

Scheme Members must ensure that all materials used in the construction of memorials comply with industry codes of practice (Section 5.2) and are drawn from legal and sustainable sources.

All Scheme Members working on memorials within the Cemeteries administered by the Council are encouraged to be BRAMM or NAMM registered or submit copies of their qualifications and experience. A letter or certificates detailing qualification and experience of each contractor will accompany registration applications along with trade references.

5.2.2 Funeral Directors

Scheme Members are responsible for ensuring that they have visited the Cemetery in advance of the internment, carried out a Risk Assessment, implementing any findings and planned the route from gate to grave, including use of Chapel where applicable.

Scheme Members must continue to attend the grave-side until the internment is completed and the Council Cemeteries team are ready to back-fill.

5.3 Registration Scheme Compliance

Each Stonemason and Funeral Director joining the Scheme is required to have a copy of and comply with the following:

- Local Authorities Cemeteries Order (1977)
- NAMM Code of Working Practice (Latest Relevant Edition) / BRAMM Blue Book
- Health and Safety at Work Act (1974)
- The Council's Safety Policy and Risk Assessment
- The relevant British Standards, (including BS8415)
- All other relevant statutory requirements.

Each Stonemason and Funeral Director will be supplied with and must comply with the following:

- The Council's Cemetery Regulations
- The Council's Stonemasons and Funeral Directors Registration Scheme

5.4 Previously Expelled Scheme Members

Stonemasons and Funeral Directors that have been banned from performing work in any of the Council's Cemeteries or elsewhere or otherwise disciplined within the last two years may be refused Registration onto the Scheme at the Council's discretion.

Each such case will be considered individually, with membership offered or withheld at the discretion of the Service Manager.

Stonemasons and Funeral Directors must submit details of any such exclusions or other disciplinary actions with their application for registration. Should they fail to disclose details of such exclusions or disciplinary actions, subsequently coming to the attention of the Council, it will result in the immediate expulsion from membership. The Council may consider imposing a further restriction precluding the Stonemason or Funeral Director from applying for re-registration for up to 2 years, after which a formal renewal application must be made.

6 Procedures

All internments and memorial installations in the Council's Cemeteries by registered participants of the Scheme must fully comply with the Regulations and the procedures outlined below.

6.1 Applications to Carry Out Work Within New Forest District Council Cemeteries

Prior to works within the Council's Cemeteries being undertaken, all works to be carried out must be approved by the Cemeteries Office. The Cemeteries Representative can be contacted using the details below:

E-mail: cemeteries@nfdc.gov.uk

Letter - Cemeteries Office, New Forest District Council, Town Hall, Avenue Road, Lymington SO41 9ZG

Fax: 02380 285755

Scheme Members are required to give the Cemeteries Office at least 2 working days' notice in writing prior to undertaking any work within one of the Council's Cemeteries, to avoid clashes with burials or other works being undertaken.

Scheme Members are responsible for ensuring that all applications comply with the Regulations. Scheme Members are required to advise their customers and the customer's families of the Council's requirements set out within the Regulations and to issue them with the most recent copy of this document. This prevents additional distress to the bereaved as a result of applications requiring amendment or rejection.

A valid copy of the EROB **must accompany all applications** for Internments, Memorial Applications or other related requests. Non-production of the EROB will delay their customer's request being progressed.

The Council will hold the Scheme Member submitting an application liable for the content, accuracy and correct completion of all necessary forms and applications.

Scheme Members are reminded of the requirement within the Regulations that the exact maximum external coffin or casket sizes must be measured and specified in inches, and must include the handles, if applicable. **These exact measurements must be declared on the Notice of Interment form when submitted.** No measurement allowances are permitted. Inaccurate details on these forms will result in disciplinary procedures (Section 8).

Scheme Members are responsible for ensuring they explain and issue their customers a copy of the Regulation, emphasising the requirements for the customer's chosen section (Lawn, Woodland, Traditional (kerbed), Cremated Remains or Children/Babies Sections) prior to a Notice of Interment application being made.

Scheme Members are responsible for advising their customers if their internment is outside of the maximum sizes that can be accommodated and if a double-plot is therefore required, prior to any application being made.

Memorial Applications must be checked by the Scheme Member before submission to ensure they comply with maximum sizes. Kerbset applications will only be permitted within traditional/permitted sections only.

Scheme Members identified to be failing to advise and issue customers the NFDC Regulations or those deemed to be submitting speculative Memorial Applications will be subject to Disciplinary Procedures (Section 8).

Scheme Members agree to rectify at their own expense any works that need to be dismantled as a consequence of the Scheme Member erecting a memorial that does not meet the requirements of the Regulations.

6.2 Memorial Installation or Maintenance

No work on in-situ or new memorials shall be carried out unless the appropriate application has been approved in writing by the Cemeteries Representative. There will be no exceptions to this requirement which must be strictly adhered to. Scheme Members are reminded of the requirements set out within Section 6.2. The Scheme Member will be given a Permit for each memorial application granted which must be available to be produced for inspection when requested by a Cemeteries Representative.

Scheme Members do not need to complete a Memorial Application for in-situ memorial cleaning maintenance for memorials they installed. It is the responsibility of the Scheme Member to ensure works are undertaken with consideration to adjacent memorials. It is the scheme member's responsibility to insure that ONLY work instructed by the EROB is carried out regarding cleaning of headstones.

All memorials must comply with BS8415 & the NAMM Recommended Code of Practice.

Scheme Members are not permitted to install any memorials or plaques within Woodland Sections, Memorial Garden areas or on any donated or the Council's memorial benches.

Scheme Members must install the memorial within 12 months of the memorial application being approved; failure will require the submission of a new application and repayment of the fee.

Scheme Members must take pictures of the front and the reverse of the memorial on which they worked and submit these alongside the cut off section of the form to the Cemeteries Office for confirmation of works.

6.2.1 Memorial Inspections

The Council staff may inspect the installation of a memorial either as the work proceeds or after completion. Where work is found to be unacceptable either because it does not conform to the Scheme standards or for any other reason, the Cemeteries Representative will instruct the Scheme Member and EROB holder(s)

that rectification works are required to meet the Council's standards at the expense of the Scheme Member who installed the memorial and not the EROB holder.

The Council undertakes its duty to ensure the provision of safe open spaces and Cemeteries through mandatory memorial "topple" testing. This is undertaken on a cyclic programme, with all memorials tested by trained personnel as outlined in Section 6.3.

6.3 Post Work Inspection

The Council may inspect a memorial following installation or completion of other work. This may occur during routine Cemetery maintenance or in response to an enquiry.

Where work is suspected or identified to not meet the required Scheme standards, the Cemeteries Representative may instruct the Scheme Member to re-erect the memorial to ensure compliance with the Scheme's standards, the Cemetery Regulations and any other relevant standards (such as BRAMM, NAMM etc).

The costs of dismantling and re-erecting in these circumstances is the responsibility of the Stonemason or Funeral Director. The Council reserves the right to charge a fee for re-inspection of the memorial where this arises due to the actions of the Scheme Member.

All memorials are subject to mandatory inspections by the Council at least every 5 years to comply with our duty of care, Health and Safety Executive & Ministry of Justice Guidelines. Scheme Members should take this into consideration when issuing their guarantee. Any repairs, replacement of joints or other parts of the memorial considered necessary from the inspection shall be notified to the registered EROB Holder(s) in writing. All remedial works need to be completed within 28 days of written notification being issued.

6.3.1 Refusal to Co-operate

If the Scheme Member refuses to co-operate following post-work inspections the Cemeteries Representative may, at their discretion, engage a third party (a qualified Stonemason registered under the Scheme) to perform the work. In these circumstances, whether the work complies or fails to comply with the Scheme standards, the costs incurred by the third party will be the responsibility of the Scheme Member originally installing the memorial.

Scheme Members refusing to cooperate will face action under the Disciplinary Procedures (Section 8) of the Scheme.

7 Tendering

The Council may require the submission of tenders for a range of memorial works, including inspection, repair, removal and replacement of memorials. Scheme Members will be eligible to tender for any such works, tenders above EU thresholds will be tendered under EU guidelines.

8 Penalty Procedures

To ensure that the Scheme standards are maintained and Scheme Members are operating in uniformity with these standards, the Cemeteries Representative will operate a procedure which applies to all Scheme Members.

8.1 Stage 1: Breach of the Scheme Standards

Following an investigation by the Cemeteries Representative indicating a confirmed breach of the Scheme standards, a written warning will be issued by the Service Manager. The written warning shall be maintained on the Scheme Member's record for a period of 18 months from the date of issue.

If no further breach(es) occur during that period, the warning will be removed from the record.

8.2 Stage 2: Subsequent Breach of the Scheme Standards or failure to Rectify Stage 1 Breach

Throughout the 18 month period following a Stage 1 Breach (Section 8.1), another breach of the Scheme standards is committed, or the original Stage 1 breach is not rectified to the satisfaction of the Service Manager, this will result in the issue of a Final Written Warning.

A Final Written Warning shall be maintained on the Stonemason's or Funeral Director's record for a period of 36 months. If no further breaches occur during that period the warning will then be removed from the record.

8.3 Gross Misconduct

Certain circumstances shall be considered Gross Misconduct and will not be subject to the above stages of the disciplinary procedure. The Service Manager will decide, at his/her discretion, whether or not an incident constitutes Gross Misconduct. Examples include unsafe working practices or undertaking actions which directly, indirectly, or has the potential to bring the reputation of the Council into disrepute.

8.4 Exclusion from Registration

Scheme Members found guilty of Gross Misconduct or committing a further breach of the Scheme standards within the 36 month term, as described in Stage 2 (Section 8.2) will be removed from the Scheme.

The Scheme Member will be precluded from applying for re-registration and from carrying out any work within the Council's Cemeteries for a period of 2 years from the date of expulsion.

In instances of exclusion for Gross Misconduct the Service Manager, at their discretion, may consider advising other local authorities or industry registration schemes of the circumstances.

8.5 Re-registration following an Exclusion

A Scheme Members committing any breach of the Scheme Standards, or an act of Gross Misconduct, during the 18 month period following his/her re-registration following expulsion, may be excluded from Registration for a further period at the discretion of the Service Manager.

8.6 Penalty Procedure Appeal

A Stonemason or Funeral Director not satisfied with the decision made under this y Procedures is entitled to appeal.

An appeal may only be made in writing and must be submitted within 14 days from the date of the decision letter that notified the Stonemason or Funeral Director.

An appeal must clearly state the reasons for the appeal and only these reasons will be admissible at the appeal hearing. Appeals will be heard by the Executive Head responsible for Cemeteries.

9 Review of Scheme and Modifications

Scheme Members and the Council may jointly review the rules, requirements and performance of the Scheme on a periodic basis.

Following notification of a revision of the Scheme rules, Scheme Members may allow their membership to lapse or submit a new Scheme application. The Council reserves the right to ask all Scheme Members to re-register following a major review of the Scheme.

To promote meaningful and representative Registration Scheme procedures, any registered member may propose amendments to the Scheme. The Cemeteries Representative, in conjunction with the Service Manager, shall conduct an initial appraisal of these suggestions. Feedback to the Scheme Member will be given. Those suggestions providing an improvement to the Scheme will be progressed for inclusion within future revisions.

10 Further Reading

- New Forest District Council; www.newforest.gov.uk
- Managing the safety of Burial Ground Memorials – Ministry of Justice, UK Government.
- British Standard BS8415
- Documents outlined in Section 5.3
- Natural Burial Grounds (2009), Ministry of Justice, UK

Stonemason & Funeral Directors Registration Scheme



email: cemeteries@nfdc.gov.uk

Please sign and post to:

Cemeteries Office, Town Hall, Avenue Road, Lymington SO41 9ZG,

Telephone: 023 8028 5952

11 Form A1 - Scheme Registration Agreement

ALL boxes to be completed in BLOCK CAPITALS. **Part completed forms will be returned.**

I declare that I have read and understood the New Forest District Council's Stonemasons and Funeral Director's Registration Scheme requirements and the Council's current Cemetery Regulations and declare that I will comply with the Council's Cemeteries Regulations and the above named Registration Scheme requirements.

Company Name:	
If Subsidiary, State Parent Company:	
Address:	
Post Code:	Telephone:
Email:	Website:
Date of commencement of business:	
Details of Insurance and Public Liability Cover: (Copy Enclosed, of a valid certificate must be resubmitted). <i>Please tick that copies are enclosed.</i>	
Stonemasons: Public Liability <input type="checkbox"/> Professional Liability <input type="checkbox"/> Employee Liability <input type="checkbox"/> Sample Risk Assessment <input type="checkbox"/>	Funeral Directors: Public Liability <input type="checkbox"/> Employee Liability <input type="checkbox"/> Sample Risk Assessment <input type="checkbox"/>
<i>Association Membership(s): (Optional)</i> BRAMM, Membership Number: Current Certificate Attached <input type="checkbox"/> NAMM, Membership Number: Current Certificate Attached <input type="checkbox"/> Other Association / Company Scheme(s):	
Trade References:	
1)	2)

As an authorized person of the above stated organization, I agree to adhere to all Rules, Bye-Laws, Cemetery Regulations, Health and Safety Requirements, Insurance liabilities, Installation and Maintenance Specifications, Inspection procedures and all other Requirements as laid down by this Scheme. I have not been excluded from the Council's and/or other council schemes within the last 2 years.

Signed by:	
Print Name:	
Position:	Dated: