

Breadsall Church Health and Safety Policy

Health & Safety in Churchyards & Burial Grounds

1. Introduction

Churchyards are an important part of the heritage of the Church of England and are usually places of peace and tranquillity. They are not only green spaces but often double up as important and informal wildlife reserves. But their prime use is as the last resting place of deceased persons either in terms of burial or the interment of cremated remains. Many of them are historical places of antiquity which are frequently visited by members of the Church, the deceased's relatives, historians, school children and members of the public generally.

2. Responsibilities

A Parochial Church Council (PCC) is legally responsible for the care and maintenance of their churchyard and this obligation extends to the safety of the churchyard and in particular memorials.

The PCC's duty is to exercise reasonable care and to fulfil this obligation they must carry out regular inspections of the churchyard and checks of memorials. A PCC cannot guarantee the safety of all memorials but a regular and fully documented safety inspection programme will go a long way to fulfilling the PCC's legal obligations.

3. Definitions

1.1 Trees

Many churchyards contain a large number of trees. Although healthy trees may fall in extreme weather, diseased or dead trees are much more likely to fall, causing damage to the church or neighbouring buildings and presenting a possibility of injury. The roots of trees can also encroach upon the foundations of neighbouring buildings causing subsidence or blockage of drains. All trees within the churchyard should be inspected every six months by a competent person for signs of disease or too close proximity to the church or neighbouring buildings. A record should be kept of the inspection and any subsequent work. This record will ensure that the inspection is carried out and could prove useful in defending any legal claim against the parish. Any required lopping, pruning or felling should be carried out without delay. Where trees have previously been pollarded, this practice should be continued at appropriate intervals. Where trees are the subject of a Tree Preservation Order, the Local Authority should be consulted prior to any work being carried out. Whilst it is accepted that experienced, competent members of the church can carry out minor work, any major felling, pruning or working at height must only be carried out by a professional contractor. Only persons suitably qualified and equipped with the appropriate safety equipment should operate chainsaws. Any trees on neighbouring land which could be a hazard to the church should be visually inspected during the annual inspection and, if any give cause for concern, a letter should be written requesting the landowner to take appropriate remedial action. A copy of the letter should be retained.

1.2 Churchyard maintenance

Equipment used to maintain churchyards is often more powerful than that used domestically. A number of injuries are caused each year that could be avoided by taking simple precautions. All garden machinery should be inspected and serviced regularly and any defects remedied

immediately. Appropriate safety equipment should be used which can range from substantial footwear when using mowing machinery to ear defenders, safety goggles or visors, gloves and footwear for using trimmers and hedge cutters. The manufacturers' instructions should always be followed regarding use and the provision of safety equipment. Hand tools should be inspected for defects such as damaged blades and loose handles, and should be kept sharp and clean. Gloves reduce a person's ability to detect when a tool is slipping and should therefore not be worn when using wooden-handled, sharp-edged tools such as billhooks and slashers. Particular care needs to be exercised when clearing rubbish from around the church. Broken glass and discarded hypodermic needles may be concealed in long grass. Heavy-duty gloves and other protective clothing must be worn and children should not be involved in 'litter picks'. All persons involved in churchyard maintenance should be trained in the use of tools and machinery. When work is being carried out at least two persons should be present. Any use of ladders should be carefully considered and ladders secured appropriately. Persons under 18 years of age should not use machinery.

1.3 Grass cutting

A principal cause of accidents in churchyards is persons tripping over kerbs or graves that have become obscured by long grass. There is effectively no defence in such circumstances to a claim that the church authorities have failed in their duty under The Occupiers' Liability Acts to ensure that visitors are reasonably safe within the churchyard.

If there is a risk of persons tripping over kerbs or graves then the grass must be kept to such a height that the kerb or grave is clearly visible. Regular grass cutting is therefore essential.

1.4 Gravestones and tombs

Over a period of time monuments suffer the ravages of frost and water and may become unsafe. Serious injuries and even fatalities have occurred when apparently securely mounted stones have fallen over. Maintenance of gravestones and tombs is the responsibility of the deceased's family. However, where the family no longer tends the grave or cannot be traced, responsibility for any injury may rest with the church.

All gravestones, tombs and vaults should be inspected at least annually. The inspection need not be carried out by experts. A churchwarden, churchyard officer (if appointed) or other PCC member may undertake the work. Each stone should be physically handled to check for loose mountings, disintegrating mortar or undue spalling caused by age or frost, thus rendering the stonework unsafe. The prime function of the survey is public safety. Stones in a dangerous state should be carefully laid on the ground and, where appropriate, the family contacted to advise of the action taken, repair costs not being the responsibility of the church. Any re-ordering of the churchyard or extensive work on individual tombs will necessitate a Faculty, although a number of Dioceses now have blanket Faculties for the making safe of hazardous gravestones. A note of the survey should be recorded in the Parochial Church Council minutes, stating the date and names of the personnel undertaking the survey, that all stones were inspected, together with a record of the number of stones actually laid or other action taken. Such action would be an important feature in the defence of any legal claim against the church.

1.5 Visitors

Paths should be reasonably level and free from anything that may cause someone to trip or slip. Boundary walls and railings should be stable and in a good state of repair. Any temporary hazardous

areas such as open graves or parts of buildings undergoing repair should be adequately roped off and suitable warning signs erected. Any permanent hazardous areas such as crypts or boiler houses should be locked or fenced as appropriate. Remember that you owe a duty of care to trespassers and in particular to children who may see the churchyard as an exciting place to play.

1.6 Boundary walls and fences

Walk the boundary of your churchyard at least two or three times per year. Check for leaning pillars, posts, and sections of wall. Early attention to defects may prevent costly repairs later on.

1.7 Log book

The log book at Breadsall Church is kept in the Vicar's Vestry in the right-hand bookcase.

Health and Safety Committee, May 2017

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