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## **MEMORIAL MASON**

## **REGISTRATION SCHEME**

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# **MEMORIAL MASONS REGISTRATION SCHEME**

## **1. Introduction**

The memorial mason registration scheme aims to establish a uniform standard of workmanship and working practices throughout Tadley Town Council's cemetery and burial ground. The scheme will address the standards required for the installation, repair and maintenance of memorials, both new and existing, insurance cover, health and safety requirements and administrative requirements. Through adoption of this scheme it is the intention to identify and promote the best practice of the industry by all registered participants.

## **2 Aims**

This registration scheme will ensure that memorial masons working within the cemetery and burial ground will operate to the highest standards of workmanship and competence. The establishment of this scheme will promote a partnership that will encourage formal and informal communication, long-term working relationships and development initiatives between all registered parties. The Council's ultimate objectives are to ensure that the Council's cemetery and burial ground meet all Health and Safety standards and are safe environments for working in or visiting.

## **3 Scope of the Scheme**

3.1 The scheme will be available to any memorial mason who presently works, or intends to work, within the Council's cemetery and burial ground.

3.2 Following the implementation of the scheme those memorial masons not registered under this scheme will not be permitted to work within the cemetery and burial ground until they are registered.

## **4. Administration of the Scheme**

The scheme will be administered by the Council.

## **5. Requirements of the Scheme**

5.1 All registered participants to the scheme will be expected and obliged to adhere to the following basic requirements. These are the minimum acceptable requirements of the Council and may be up-dated from time to time. Memorial masons are welcome to exceed these requirements and will be encouraged to propose suggestions or ideas that they believe will improve or enhance the scheme. Any suggestions or ideas adopted by the Council will be applied equally to all registered participants.

### **5,2 Eligibility**

Memorial masons who have been barred, from performing work in any cemetery, whether in the Council's area or elsewhere, within the previous two years may be ineligible to join the scheme. In these instances each case will be considered individually and membership offered, or withheld, at the discretion of the Council. Memorial masons must submit details of such disciplinary actions with their application to join the scheme. Failure to disclose details of disciplinary actions, which subsequently come to the attention of the Council, will be considered as gross misconduct and dealt with under the provisions set out in 10.3.

### **5.3 Insurance Requirements**

General Risk - Every participant on the Registration Scheme shall be insured for Public Liability to the value of £5,000,000 for any one incident.

#### 5.4 Workmanship, Materials and Construction

5.4.1 All memorial masons must be a member of NAMM or BRAMM.

5.4.2 All memorial masons shall provide a Certificate of Compliance for each individual memorial in respect of safety and stability for a period of no less than 5 years and no more than 30 years Memorial Masons are encouraged to issue the Certificate of Compliance for as long a period as possible, up to 30 years.

5.4.3 All memorial masons registering on the scheme must be able to demonstrate an acceptable standard of workmanship, to the approval of the Registration Scheme's Administrator. Memorial masons and their staff shall be suitably qualified, experienced and competent to perform all works necessary when erecting, dismantling and repairing memorials to meet current industry and statutory Health and Safety requirements and guidelines.

5.4.4 The standard of workmanship will be evidenced by qualifications obtained from an accreditation scheme operated by a recognised industry body, for example the National Association of Memorial Masons (NAMM). A letter detailing the qualification and experience of each contractor should accompany application for Registration and, where available, trade references

#### 5.5 Registration Scheme Compliance

Each memorial mason signing the 'Agreement to the Memorial Mason Registration Scheme' included in these documents will be deemed to have agreed to comply with the following:

Local Authorities Cemeteries Order 1977  
Cemetery Rules and Regulations  
NAMM Code of Working Practice (Latest Relevant Edition)  
Health and Safety at Work Act 1974  
Memorial Masons Registration Scheme  
All other relevant statutory requirements.

### **6. Procedures for the Erection of Memorials**

6.1 All memorials installed within the Council cemetery and burial ground must first be approved by the Council.

6.2. Applications must be submitted on a memorial Application Form and will detail the following:

Name and Address of Memorial Mason  
Name and Grave Number of the deceased  
Name and Address of the Exclusive Rights Owner  
Memorial Inscription  
Memorial Details: Material, Size, Fixing Methods, Date and Time of Fixing  
Sketch of Memorial

6.3 Memorials must not be erected, nor shall any additional work be carried out to the memorial (including memorial cleaning or renovation work), unless the Application to Erect /Carry Out Work on a Memorial has been approved, and a Permit issued in

writing. The memorial mason shall give the Council a clear indication of his programme to erect the memorial, especially the date and time, to allow monitoring of the operation.

6.4 All memorials shall be erected to conform to the most recent edition of the National Association of Memorial Mason's Recommended Code of Working Practice.

6.5 Following the erection of a memorial it should be noted that they will be subject to inspection at least every 5 years to ensure Health and Safety requirements are met. Memorial masons should take this into consideration in their Certificate of Compliance. The Certificate of Compliance should include all joints that fail. All joints shall be repaired within 1 month of being notified.

## **7. Inspection of Memorials**

The Council may inspect the erection of a memorial either, as the work proceeds, or shortly after the work is completed. Where work is found to be unacceptable, either not conforming to the NAMM Recommended Code of Working Practice or any other reason, the Council will instruct the memorial mason to return and rectify the work to meet the Council's standards. The standard of works should comply with the attached inspection procedures and inspection should withstand a combined manual and mechanical test.

## **8. Post Work Inspection**

8.1 The Council may inspect a memorial following erection, or completion of other work, either as part of routine maintenance, or in response to a complaint from the public or Council staff. Where work is suspected of being unacceptable, either not conforming to these specifications or any other reason, the Council may instruct the memorial mason to dismantle their work in order to verify compliance with the scheme's standards. In the event that work does not meet the required standards the memorial mason will re-erect the work to the appropriate standards, the costs of dismantling and re-erection in these circumstances being their responsibility. In the event that the work complies with the required standards the costs of dismantling and re-erection will be the responsibility of the Council.

8.2 If, for any reason, the memorial mason refuses to co-operate with these post work inspections the Council shall have the right to employ a third party (a qualified memorial mason registered under the scheme) to perform the work. In these circumstances, whether the work complies, or fails to comply, with the scheme standards the cost will be the responsibility of the mason originally installing the memorial. In the circumstances where there is a refusal to co-operate by a memorial mason, they will become eligible for action under stage 2 of the Disciplinary Procedures of the scheme.

## **9. Tendering**

9.1 From time to time the Council may require tenders to be submitted for a range of memorial work, including inspection, repair, removal and replacement of memorials. Memorial masons registered under this scheme shall be eligible for registration on all such lists.

## **10. Disciplinary Procedures**

10.1 To ensure that the Council standards are maintained and that all participants to the Registration Scheme are operating uniformly to these standards the Council will

operate a disciplinary procedure which shall be applied fairly to all participants of the scheme.

10.2 The disciplinary procedure will be based on the Rules of this Registration Scheme and the Specification according to the following stages:

**Stage 1: Minor Breach of the Rules or Specification**

A minor breach of the Rules or Specification will result in a **Minor Infringement Notice** given by the Council, assuming the breach is corrected timeously. A **Minor Infringement Notice** shall be maintained on the memorial mason's record for a period of **12 months** then, if no further breaches occur, the warning will be removed from the record.

**Stage 2: Breach of the Rules or Specification**

A breach of the Rules or Specification will result in a **Written Warning** issued by the Council, assuming the breach is corrected timeously. A **Written Warning** shall be maintained on the memorial mason's record for a period of **18 months** then, if no further breach occurs, the warning will be removed from the record.

**Stage 3: Subsequent Breach of the Rules or Specification**

If, during the 18 month period, imposed by Stage 2, another breach of the Rules or Specification is committed, or the original Stage 2 breach is not rectified timeously or to the satisfaction of the Council this will result in the issuance of a **Final Written Warning**. A **Final Written Warning** shall be maintained on the memorial mason's record for a period of **36 months** then, if no further breach occurs, the warning will be removed from the record.

10.3 Gross Misconduct

Certain circumstances shall be considered **Gross Misconduct** and will not be subject to the above stages of the disciplinary procedure. The Council will decide, at their discretion, the instances of Gross Misconduct. The following list - though not exhaustive - will be considered as Gross Misconduct:

Installation or erection of a memorial not approved by the Council.

Refusal to rectify an error in the installation or erection of a memorial when instructed to do so by the Council.

Abusive or aggressive behaviour to any Council staff or members of the public.

Failure to adhere to the Cemetery Regulations or the Conditions of Permit Application.

10.4 Exclusion from the Registration Scheme

Exclusion from the Registration Scheme will result when a memorial mason is found guilty of **Gross Misconduct** or commits a further breach of the Rules or Specification whilst the 36 month term, as described in Stage 3, is in effect. An exclusion from the Registration Scheme will be for a period of **2 years**, during this period a memorial mason will be forbidden to undertake **any work whatsoever** within the Council's cemetery and burial ground. In instances of exclusion for **Gross Misconduct** the Council may consider advising other local authorities of the circumstances, at their discretion.

## 10.5 Re-registration to the Scheme following an Exclusion

Any memorial mason re-registering on the Registration Scheme following exclusion will be monitored for a period of **18 months**. A memorial mason committing any breach of the Rules or Specifications, or an act of Gross Misconduct, during that period will be excluded from the Registration Scheme for an undetermined period, but not less than **36 months**, at the discretion of the Council.

## 10.6 Disciplinary Procedure Appeal

10.6.1 A memorial mason not satisfied with treatment under the Disciplinary Procedures is entitled to appeal against any decision taken under these procedures. All appeals shall be made in writing within two weeks following the disciplinary decision, stating the reason for the appeal and only these reasons will be admissible at the appeal. The exception to this appeals process is in the circumstances of a memorial mason excluded on a second occasion, as described in the clause 'Re-registration to the Scheme following an Exclusion' above. In these Instances an appeal will not be permitted for a minimum period of **36 months**.

10.6.2 In the first instance an appeal will be heard by the Council's Burials Committee. In the event of a failure to reach a conclusion the memorial mason may make a **Final Appeal**, in writing, which will be heard by the Full Council.

10.7 All notices and written communications under this Code will be sent by first class post to the last known address of the memorial mason.

## 11. Review

Either party, the memorial masons or the Council, may jointly review the rules, requirements and performance of the Registration Scheme annually. Following the conclusion of a mutual review of the Registration Scheme masons shall be required to re-register for a period of one further year.

## 12. Modifications

12.1 All participants to the scheme may propose amendments to the scheme with a view to positive or innovative improvements. The Council shall conduct an initial appraisal of these proposed modifications and if these proposals appear, in the opinion of the Council, to indicate an improvement to the scheme, all participants will be advised on these proposals.

12.2 After consultation, all participants may mutually agree to omit any part of the Registration Scheme agreement, provide additional services or modify, temporarily or permanently, any part of the Registration Scheme agreement. Any modification must be confirmed in writing to all parties. Where such omissions, additions and modifications identify savings or financial advantages these shall be used to improve the quality of service, reduce costs or provide other benefits to the participants of the Scheme on mutual agreement and at the sole discretion of the Council. Any such changes shall be introduced at the next annual registration date.

## 13. Assignment

No aspects or obligations of the Registration Scheme agreement may be assigned, subcontracted or transferred to a third party without the approval of the Council, confirmed in writing.

**Appendix 1**



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## **AGREEMENT TO MEMORIAL MASON REGISTRATION SCHEME**

I agree to adhere to all Rules, Bye-laws, Health and Safety Requirements, Insurance Liabilities, Installation and Maintenance Specifications, Inspection Procedures and all other Requirements as laid down by this Registration Scheme.

**This agreement made ..... day of .....**

**Company** .....

**Representative's Signature** .....

**Name** .....

**Address** .....

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