

Peebles Graveyards – A new review

1.0 Introduction

The writer was not involved with this issue when it came up. However, having been aware of it and of the distress it had caused many Peebles residents, it was impossible not to see similarities with Orkney. Therefore, the writer being of a curious disposition conducted some research.

The starting point was an article in the Orcadian and some bullets are extracted in section 2.0. This article in turn led to discovery of an internal Orkney Islands Council (OIC) Audit into “Burial Grounds Memorial Safety”. A very professional and well-crafted document. Selected extracts are included in section 3.0.

The information contained within the audit report’s 61 pages provide a valuable insight into the subject area and generate the primary questions as to how similar the two councils were in their management of the issue and in their management of the subsequent fallout. The latter was obviously handled very differently.

The writer’s understanding, rightly or wrongly regarding the latter question is that OIC sought to discover what had been managed well and what had been managed less well, learned from the experience, apologised and in some instances agreed to reparations. Whereas SBC took the position that the law required the inspections and remediation of unsafe memorials and had employed a specialist contractor who did the work to recognised guidelines.

If the last paragraph is correct, then perhaps we are left with some unanswered questions. Section 4.0

2.0 Information from Orcadian Newspaper Thursday September 26

- Orkney Islands Council held an Investigation
- The investigation uncovered significant weaknesses in safety scheme that saw hundreds of headstones taken down
- Council insider [Whistle blower] accused OIC of failing to abide by guidelines for testing memorials
- OIC convener made official apology promising that some stones would be reinstated without cost to families
- Investigation showed that memorials had been identified
 - 26 high danger
 - 77 high risk
 - 690 lower risk
 - Within 7 months 413 laid flat
- According to OIC, training events were held in July [after half the work completed] to bolster the availability of personnel trained in inspection and maintenance.

Peebles Graveyards – A new review

3.0 Selected Findings from the Orkney Islands Council Internal Audit

- At the time of the work [similar to SBC] there were no general regulations in Scotland specifically governing the inspection methods, training requirements or actions that should be carried out for memorials that were unsafe
- There was no overall agreement to one set of standards. Guidance can be contradictory. Quote from the report: “The absence of any general regulations in Scotland specifically governing the inspection of monuments in graveyards at the time of works means that legislative requirements and best practice guidance inevitably becomes quite subjective”. Sources of guidance are:
 - Institute of Cemetery and Crematorium Management (ICCM)
 - The National Association of Memorial Masons (NAMM)
 - British Standards Institute (BSI 8145)
 - British Register of Accredited Memorial Masons (BRAMM)
- The Local Government and Social Care Ombudsman (England and Wales) whose guidance would be considered by the Scottish Public Services Ombudsman, lists examples of poor administration as follows, that a Council:
 - Did not have a testing policy
 - Did not give adequate publicity to its intention to carry out safety checks before starting
 - Did not notify the grave owner that the memorial had failed the test
 - Carried out the testing with staff or contractors who were untrained
 - Failed to assess the risk posed by the memorial properly
 - Laid the memorials flat without considering other methods of making the memorial safe
- Any memorials with listed building status should require planning permission prior to action being taken.
- If any are “scheduled monuments” it is illegal to carry out any work without informing Historic environment Scotland (HES) in advance.
- Scottish Government issued guidance in June 2019.
- Ministry of Justice guidance details that an effective risk-based approach should include:
 - Knowledge of different types of memorial currently installed, their historic and social importance, and the likelihood of members of the public visiting or walking past particular memorials
 - An overall assessment of the risks associated with these memorials
 - An inspection methodology that may include:
 - A visual check for instability
 - Where a visual check suggests no stability defects a hand test can help confirm that assessment of identify stability defects
 - Arrange for more detailed inspections of memorials where the initial inspection identifies significant risks, for example by a specialist structural engineer or memorial mason

Peebles Graveyards – A new review

- Occasionally there may be memorials that have serious structural faults but which the operator decides not to remove having regard to their aesthetic or heritage value
 - Visual and hand checks can be carried out by a person with a working knowledge of memorials and their defects
- Scottish Government guidance (05 June 2019) advises that “it will be burial authority staff who will complete all memorial inspections.
- In Orkney, OIC Officers who were competent first tested headstones. Hand test then applied a force of 20KG in all directions. Headstones that failed were then checked by a qualified monument mason.
- Ministry of Justice and NAMM guidance both advise proper risk assessments where each memorial is assessed, and the results recorded. This also allows future assessments to identify deterioration.

4.0 Questions that should be answered

- 1.0 What was SBC’s testing policy and procedures?
- 2.0 Was adequate information provided to the public?
- 3.0 Were grave owners advised that headstones had failed tests?
- 4.0 Were testers trained, experienced and adequately supervised?
- 4.1 Were risk assessments carried out? Were they documented?
- 4.2 Were other methods of making safe considered? How many alternative means of making safe were used?
- 4.3 Were assessments made of the historic and social importance, and the likelihood of members of the public visiting or walking past particular memorials
- 4.4 Were any scheduled monuments affected?
- 4.5 Did personnel conducting hand checks have a working knowledge of memorials and their defects?
- 4.6 Were more detailed inspections of memorials carried out where the initial inspection identified significant risks, for example by a specialist structural engineer or memorial mason?