



Little Paxton Parish Council

Memorial Mason Registration Scheme

Name of Memorial Mason (Firm, Company, or individual):

.....

Address:

.....

Telephone Number

.....

I(Name of Company or Firm)
hereby

Acknowledge and agree that I/the Firm/ the Company will be bound by the terms of this Scheme of Registration.

Signed:

Date:

1. Introduction

This Scheme will apply to the Authority’s cemeteries and graveyards. Only Memorial Masons who have been approved by the Authorised Officer and who have agreed to be bound by the terms of this scheme shall be registered to work in the Authority’s Cemetery. It should be noted that this scheme not only applies to the fixing of new Memorials, but also to any work carried out on existing memorials and/or their underwork. This Scheme sets out the rules that will apply to Memorial Masons together with the penalties that may be expected if these rules are breached, if a Memorial Mason signs this form and meets the Registration Requirements set out below, their name, firm, company or organisation shall be entered in the Authority’s Register.

2. Definitions

“Authority” : means the Little Paxton Parish Council whose address is 11 Hayling Avenue, Little Paxton PE19 6HG

“Authority’s Cemetery” : means Little Paxton Lawn Cemetery.

“Authorised Officer” : means the Parish Clerk employed by the Authority.

“Cemetery Regulations” : means those regulations, which are approved by the Authority and which govern the use and operation of the Authority’s Cemetery.

“Cemetery Staff” : means persons employed by the Authority to work inter alia in the Authority’s Cemeteries.

“Cemeteries”: means Cemeteries as defined in section 214 (8) Local Government Act 1972.

“Parish Clerk”: means the Parish Clerk employed by the Authority.

“Memorial”: means a headstone or other marker or monument erected above a grave space.

“Memorial Mason”: means an individual company or organisation concerned with the production, erection and/or maintenance of a Memorial.

“NAMM”: means the National Association of Memorial Masons.

“Permit”: means the document marked “Permit” and issued by the Authority Officer or Registrar to a Memorial Mason in order to allow a Memorial to be erected or work to take place in respect of an existing memorial.

“Registrar”: means the Cemetery Registrar (Parish Clerk) who is employed by the Authority.

3. Registration Requirements

In order for a Memorial Mason to be registered under the Memorial Mason Registration Scheme the following requirements must be satisfied: -

i) Insurance: every Memorial Mason shall be insured for public liability to the minimum value of £5,000,000 and shall produce original evidence of such insurance to the Authorised Officer.

ii) Experience and Qualifications: Memorial Masons will be required to prove to the satisfaction of the Authorised Officer that all their staff are suitably qualified and competent to carry out the necessary work within the Authority’s Cemeteries. Ideally, this will be achieved by obtaining a qualification from a national accreditation scheme.

iii) Discipline and Workmanship: every memorial Mason who agrees to be bound by the terms of this scheme undertakes to the Authority that they have not been barred from carrying out work in any other cemetery and confirm that they will

comply with all statutory requirements, Cemetery regulations, the Memorial Registration Scheme and the current NAMM Code of Working Practice.

iv) Sub- Contractor: in the event that any work in the Authority's Cemetery is carried out by sub-contractors on behalf of a memorial mason registered under this scheme, prior notification of such sub-contractors work will be given to the Authority. In any event, the registered memorial mason shall retain full responsibility and legal liability for any such work undertaken.

4. Application to erect or carry- out work to a Memorial

4.1 All memorials to be installed in the Authority's Cemetery and all work to existing memorials must first be approved by the Authorised Officer following receipt of an application form provided by the Authority and completed by the Memorial Mason. All applications shall include full details of the memorial to be installed or work to be carried out to an existing Memorial and in the former case shall indicate the size of the memorial, material to be used, the inscription and full installation details, including the method of fixing the memorial to the foundation. All work will be in accordance with the current NAMM Code of Working Practice. Upon approval of the application by the Authorised Officer a permit to erect or carry out works to a memorial will be issued to the Memorial Mason by the Authority.

4.2 The Permit shall state in the case of new Memorials that the Memorial is subject to an inspection within three months of being installed and then a five yearly inspection which will be arranged by the Authorised Officer.

5. Erection of (or works carried out to) a Memorial.

5.1 No work shall commence until the registrar issues the permit to the memorial mason and the memorial mason has confirmed in writing the day and approximate time the work will be carried out. This is to ensure that the work can be properly monitored by the cemetery staff. The memorial Mason must then ensure that the work is carried out on the day and at the approximate time indicated.

5.2 The memorial shall be installed or the work shall take place as indicated on the Application Form. No variation to the details on the original application will be permitted. If a variation is required then the Memorial Mason shall submit an amended Application Form for approval by the Registrar who if satisfied will then issue a further Permit. All work undertaken will be in accordance with the Permit and Application Form and the current NAMM code of Working Practice. The Memorial Mason shall certify to the Registrar in writing that the Memorial has been installed or works carried out in accordance with the application.

6. Inspection of Work

6.1 Cemetery staff will inspect all work carried out by Memorial Masons. The Authorised officer may instruct a Memorial Mason to remove and refix a memorial to enable fixing methods to be checked. The Memorial Mason will carry out any remedial work specified free of charge within the time specified by the Authority.

6.2 Where any works are considered by the Authority Officer to be unacceptable for whatever reason, the Authority will instruct the Memorial Mason to bring the memorial up to appropriate standard as set out in paragraph 5.2 above.

6.3 Where a Memorial Mason carries out work on a monument originally provided by another party, that Memorial Mason must accept full responsibility to ensure that the memorial fully complies with the appropriate standards as set out as paragraph 5.2 above.

6.4 Depending on the severity of any defects found the disciplinary procedure may be invoked.

7. Workmanship Guarantees and Insurance

7.1 All work carried out by a Memorial Mason shall be covered by a written workmanship guarantee against poor workmanship and in respect of materials and construction, for minimum a period of ten years. The Memorial Mason shall issue this guarantee to the grave owner with a copy supplied to the Registrar.

7.2 Written advice shall be provided to the grave owner by the Memorial Mason on the insurance of Memorials against accidental damage, or acts of theft or vandalism. Details shall also be provided on any security marking of Memorials. This advice shall be contained within the Workmanship guarantee.

7.3 All memorials shall include contact details of the Memorial Mason concerned and the relevant grave number, such information to be provided discreetly on the reverse side of the memorial at 5cm above ground level.

8. Penalties

Stage 1

Any breach of the Memorial Registration Scheme by a Memorial Mason will result in a first written warning, issued by the Authorised Officer to the Memorial Mason concerned. This written warning will remain on record for a period of 18 months. If during this period of time the breach is corrected and if no further breach of the

Registration Scheme occurs during this time, the warning will be removed from the records.

Stage 2

If during the course of the 18 month period there is a further breach of the scheme or the breach which resulted in the issue of the first written warning is not corrected, a final written warning will then be issued, which will remain on record for a period of three years. If the breach is corrected and if no further breach of the rules occurs during this time, the warning will be removed from the record.

Stage 3

If during the course of the three years following a final written warning, there is a further breach of the scheme or a failure to correct any previous breach of the Scheme, the Memorial Mason concerned will be forbidden to carry out any work within the Authority's cemetery for a period of two years.

Stage 4

Of a Memorial Mason who has returned from a period of exclusion, breaches the rules in any way during the 18 months following his return, the Memorial Mason shall then be banned from carrying out any work within the Authority's Cemetery. Their return shall be application to the Parish Clerk, following a minimum exclusion period of three years.

Depending on the seriousness of the breach of the Scheme, the Parish Clerk will at his or her sole discretion retain the ability to miss any stage of the penalty procedure, going directly to the next stage. For instance, if the first breach of rules is serious enough the Memorial Mason involved may immediately receive a final written warning that will remain on record for a period of three years. More serious breaches will be considered as gross misconduct and may result in an immediate ban from the Authority's Cemeteries.

9.Gross Misconduct

Certain circumstances shall be considered as gross misconduct, which will result in the memorial Mason being immediately removed from the Authorities registration for a period of two years.

The following are examples of situations that will be considered to be gross misconduct. This is not an exhaustive list, and the Parish Clerk will make a final decision as to whether or not the situation can be regarded as gross misconduct: -

*Installation or carrying out work to a memorial that had not been approved by the Authority.

*Refusal to correct an error in the installation of a memorial when notified by the Authorised Officer.

*Abusive or aggressive behaviour to Authority staff or members of the general public.

10.Appeals

Any memorial Mason who is aggrieved by any decision taken against them, will in the first instance be entitled to appeal against the decision to the Parish Clerk setting out the reasons for the appeal.

If the Memorial Mason is not satisfied with the decision of the Parish Clerk, a further appeal may then be made to an Appeals Panel consisting of elected Members of the Authority.

The decision of the Appeals Panel shall be final.

11.Compliance

Each Memorial Mason signing the “Agreement to the memorial Mason registration Scheme” 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

The Council's Safety Policy and Risk Assessments

Memorial Masons Registration Scheme

All other relevant statutory requirements.