Clerk's Report
Subject: Grave-digging Safety
Date: 31 August 2017
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1. Summary

The standard practices used by the grave digger appear unsafe and are not compliant with the Institute of Cemetery and Crematorium Management Code of Safe Working Practice for Cemeteries[1].
Of particular safety concern:
a. covering used over dug graves is not completely boarded over in such a manner as to prevent any person falling into the grave, and
b. no shoring is used.
In addition neither grass matting nor a soil box are used as discussed in the Code.

The Government Guide states that burial ground managers need to be aware of health and safety risks arising from the management of burial grounds and take appropriate steps to mitigate them [2].

BPC is working with Allwood of Totnes, which provides most but not all of the Blackawton funeral services, to address the concern about adequate covering. The funeral director is very supportive in principle of working to create a set of boards that fully cover the hole and for these to be fixed down in some way as requested by BPC.
The issue with shoring has was confirmed by the ICCM today and will also be raised with Allwood.

BPC needs to decide whether it will permit a further grave to be dug before at least the two key safety concerns are rectified. It is likely to approve a burial scheduled for Tuesday 12 September 2017.

Work on safe practice and documentation is ongoing.

2. Background

2.1 Grave Digger

Mr Dave Yeomans digs the graves in Blackawton Cemetery, as well as in Totnes and Dartmouth and other cemeteries in the area. He has twenty five years experience. He uses a digging machine. There may be reserved grave spaces where manual digging is required. He is insured – production of public liability insurance pending. He is employed by the funeral director not by BPC.
BPC's insurer has advised:

> As discussed, I would expect the funeral directors to check the Public Liability Insurance possessed by the grave digger as they are the ones engaging their services.
>
> With the Parish Council not controlling the manner in which the grave digger carry out the work I would not expect them to be found legally in the event a claim arises from injury arising from this. However, were this to happen the policy we arrange will respond to deal with the claim.
>
> If the Parish Council has concerns with the precautions being taken to prevent the risk of falling into the open grave I recommend this is discussed with the grave digger and/or the funeral director in order to agree a reasonable solution.

If there was an incident in the Cemetery Cllrs may find that this technical allocation of responsibility is of partial reassurance.

2.2 Covering

Covering used on re-opened grave August 2017:

Covering after BPC raised concerns:

The second sheet of corrugated metal is not weighted or secured, the first is secured at one end by a pallet.

2.3 Shoring

I have been told by Mr Yeomans that no shoring is used in Blackawton because the soil is stable. The ICCM Code of Practice says shoring is required in all soil types. In response to my email the ICCM has confirmed:

> 'Shoring is always required. Not only to protect grave diggers but also those attending and officiating at funerals.
> In cohesive stable ground a grave can be dug to full depth and hydraulic shoring installed. Grave diggers do not have to enter a grave to install hydraulic shoring.
> Timber shoring would need to be installed in stages as the grave digger needs to be in the grave to install. See the diagrams for progressive installation and removal in the Code of practice.'

Most graves in the Blackawton Cemetery are double depth - dug to a depth of six feet six inches. At this time I have yet to raise the issue of shoring with the funeral director or grave digger.

3. Reference

1. 1999, Code of Safe Working Practice for Cemeteries, Institute of Cemeteries and Crematorium Management.
2. 2005, Guide for Burial Ground Managers, Department of Constitutional Affairs, para 2.35, page 13