

Churchyards - Guidance and good practice for clergy - August 2020

Familiarise yourself with the Churchyard Regulations 2020, and the Guide for Families, available at <https://www.stalbans.anglican.org/diocese/diocesan-registry/>

TOPIC	ADVICE/GOOD PRACTICE
1. Ashes	Not permitted to be scattered, but can be poured or buried in biodegradable container – pouring uses less space.
2. Burial issues in practice	<ol style="list-style-type: none"> a. Work with the local funeral director or regular grave digger to check if there is a burial in a particular plot by rodding or digging. Ascertain whether a grave is double-depth or if the water table may be too high to bury double-depth – implications for grave space reservations b. Ongoing care in preparation for Archdeacon's Inspection c. Maintain safety – see <u>safety</u> overleaf d. Good <u>record keeping</u> avoids future problems – e.g. record when a burial is double-depth to avoid queries in future years
3. Closure of churchyard for further burials/re-use	<ol style="list-style-type: none"> a. Refer to DAC advice on website: https://www.stalbans.anglican.org/dac/dac-advice-leaflets/ (see 'Churchyards – New Land for Burials and closure of existing burial grounds' and – for the Chancellor's guidance – 'Churchyards – Re-use of Churchyards for Burials') b. Maintain good communication with the local authority responsible for maintaining the closed churchyard, especially if the area is a wildlife site. Agree a management plan and specification for work and point out that faculty jurisdiction will apply to authorise any works in the churchyard other than routine maintenance. See below.
4. Local Authorities	<ol style="list-style-type: none"> a. Local Authorities have power to contribute towards maintaining an open churchyard, or may provide contractors. b. If the churchyard is closed and the PCC has transferred legal responsibility to the local authority, then the local authority is responsible for trees, paths, boundary walls and hedges and memorial safety, as well as mowing. c. The closed churchyard remains consecrated and within faculty jurisdiction d. It is helpful if the PCC can assist the local authority with any local permissions
5. Memorial applications	<ol style="list-style-type: none"> a. Form CR1 has been updated to refer to next of kin – return form if incomplete (funeral directors routinely ask for confirmation about next of kin); this is important information in case of family dispute b. Develop a good working relationship with local funeral directors c. In a Garden of Remembrance, the original faculty (or a subsequent faculty regarding its memorials) will make provision for the type of commemorations which are allowed. d. Explain what is allowed and why some things are not allowed: <ol style="list-style-type: none"> (i) Safety considerations so that other users of the churchyard are not put at risk (ii) To avoid the introduction of controversial or inappropriate items or cause distress to other visitors to churchyard; (iii) to allow for the maintenance of the churchyard; (iv) not polished stone to allow memorials to weather and provide a place for lichens to thrive (v) Explain why a period needs to elapse after burial before the memorial can be installed (to allow ground to settle) It is advisable that inscriptions for additional burials in an existing plot are added after the burial has taken place rather than before.
6. Record keeping	<p>Recommended: The Churchyard Handbook https://chbookshop.hymnsam.co.uk/books/9780715143018/the-churchyards-handbook</p> <ol style="list-style-type: none"> a. Know your own churchyard: <ul style="list-style-type: none"> • Its boundaries • Boundaries of any Garden of Remembrance and specific regulations • Burial plan including for ashes should be held with the churchyard plan • Has your PCC agreed management rules? Are these clearly displayed? How are they communicated to families? • Children's graves • Historic listed memorials https://www.churchofengland.org/more/church-resources/churchcare/advice-and-guidance-church-buildings/churchyard-structures

	<ul style="list-style-type: none"> b. Talk to your local history/family history society, archaeology group, students who might be interested in helping make your plan. Title your plan 'Churchyard' or 'Burials' for easy file retrieval. See also Examples¹ c. Grave space and Garden of Remembrance plot reservation reservations – only by faculty. See Regulations and legal framework below
7. Regulations and legal framework	<ul style="list-style-type: none"> a. Publicise the Churchyard Regulations and make the memorial application form available b. Guidance on supporting children² and see C of E website regarding bereavement: https://www.churchofengland.org/life-events/funerals/after-funeral/journey-through-grief c. Advice on funeral process available at https://www.churchofengland.org/life-events/funerals/here-everyone d. Table of Fees https://www.stalbans.anglican.org/finance/parochial-fees/ e. If family orders a memorial on-line and/or buries ashes without notification, talk to: Archdeacon; Registrar; DAC Secretary. Decision-making is strengthened if you seek advice; you can return incomplete application forms f. Reservation of grave space or Garden of Remembrance plot – only by faculty: https://www.stalbans.anglican.org/diocese/diocesan-registry/ g. Consider agreeing a PCC policy for deciding applications for grave space reservations, especially if the churchyard is nearly full h. Re-use of churchyards see 'Churchyards – Reuse of Churchyards for Burials' at https://www.stalbans.anglican.org/dac/dac-advice-leaflets/ i. In a Garden of Remembrance, the original faculty (or a subsequent faculty regarding its memorials) or Archdeacon's authority will make provision for the type of commemorations which are allowed. If other items appear (such as plaques on stakes) the PCC needs to consider these as non-permitted items and take appropriate action. j. Churchyard rules have changed over the years. Whatever has been allowed in the past, it is the present rules which apply in the churchyard.
8. Safety	<ul style="list-style-type: none"> a. Be aware of standards for memorials https://www.stonespecialist.com/news/legislation-standards/namm-background-new-bs8415-standard-memorials b. Maintain safety – topple testing and what to do next Interim faculty for emergency safety work (contact the DAC office) see also: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/326725/safety-burial-grounds.pdf c. Give notice to family if repairs are needed d. Dealing with ephemera and loose items; be aware of hazards from glass, fairy lights, small chippings (mowing/strimmer injury risk) e. Be aware of environmental issues of plastics and non-biodegradable items.
9. Temporary or non-permitted items	<p>(Teddies and train sets; temporary tokens, artificial grass) and removal (see also https://www.lawandreligionuk.com/2016/06/16/churchyard-regulations-the-practicalities-of-enforcement/):</p> <ul style="list-style-type: none"> a. When planning a churchyard tidy day, avoid significant recent family anniversaries as far as possible b. Involve the PCC and make the churchyard mission-focused c. Set timescale d. Notify families well in advance; ensure you deal properly with people e. Store removed items safely and sensitively (preferably not in an old carrier bag) for the family to reclaim f. Offer a service to the whole community (therefore don't allow material/displays that would offend some people) g. A parish priest offered to bless items relocated to the family garden as a more permanent 'memorial', to permit the sensitive removal of the temporary items from the churchyard
10. Other local requirements	<p>Special provisions in churchyards (e.g. involving other cultures) – individual cases via Chancellor</p> <ul style="list-style-type: none"> a. Manage complicated cases by explaining decision-making – responding "I only have authority to allow this – outside this, the Chancellor must decide / I would have authority to allow this if you changed that"

¹ <https://wshc.org.uk/blog/item/how-to-make-a-churchyard-plan.html> <http://bawdsey.onesuffolk.net/church/churchyard/churchyard-plan/>
<https://history.charneybassett.org.uk/buildings/churches/st-peters-church/thegraveyardandburials/> <https://historicgraves.com/blog/how/how-draw-sketch-plan-historic-graveyard>

² <https://www.stalbans.anglican.org/schools/resources-for-schools/>

and difficult cases	<ul style="list-style-type: none"> b. Seek advice from the Archdeacon, DAC and Rural Dean; refer to Chancellor c. Communications Officer will advise on handling publicity/complaints d. At a clergy workshop we discussed churchyard issues – see details at https://www.stalbans.anglican.org/wp-content/uploads/Churchyard-Regulations-presentation.pdf
11. Wildlife	<p>Managing for families, visitors and wildlife:</p> <ul style="list-style-type: none"> a. Seek help from local Wildlife Trusts and the Living Churchyards project https://www.stalbans.anglican.org/faith/living-churchyards-2/ and The DAC Advice leaflet 'Churchyards – Wildlife' https://www.stalbans.anglican.org/faith/living-churchyards/ b. Only bulbs and annual flowers may be planted on graves, as roots of a shrub or small tree will eventually disturb the grave and memorial stone and/or adjacent graves c. Explain the project to the community (“encourage the wildflowers and maintain and enhance the churchyard’s serenity and beauty”; “ensure visitors know the church is loved and in harmony with its surroundings”). d. Share plant survey e. Agree and publicise mowing regime

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