



Policy for caring for the churchyard, updated March 2024

The aim of this Policy

To set out how we, the Vicar and the Parochial Church Council (PCC), will seek to:

1. Maintain the beauty of the churchyard, as a sacred, shared and sustainable memorial space for the families and friends of those buried here, the local community, visitors, and as a legacy for future generations; all for the glory of God.
2. Ensure the churchyard complies with the law (as stated in the "Churchyard Handbook", which is produced by the Diocese of Chelmsford, and as summarised in our leaflet "The Churchyard Code").
3. Make sure that we ourselves act in accordance with the law.
4. Care for the loved ones of those buried here, and other churchyard users, with empathy, compassion and fairness.

Responsibilities

This Policy recognises that (1) control of churchyards is vested in the Chancellor of the Diocese (the senior legal officer of the Bishop) by Canon Law, (2) the Vicar has legal responsibility to administer the law, as it relates to churchyards, and (3) the PCC has responsibility for maintaining the churchyard.

At St Michael's Church, we have set up a Churchyard Care Team which includes the Vicar and at least one Churchwarden, to oversee the day-to-day management of the churchyard, and to plan for the future use of the churchyard and make recommendations to the PCC.

Maintenance and care

We will seek to:

- Cut the grass and maintain flower beds to a reasonable standard.
- Maintain the Garden of Remembrance to a reasonable standard.
- Have regular tree surveys conducted and make sure necessary maintenance work is done.
- Maintain noticeboards and signs.
- Arrange for spoil from grave-digging to be removed from the churchyard, if it is unsuitable for growing things in, and if we are certain that it contains no human remains.
- Help people to obtain permission, within the law and as circumstances allow, for headstones, benches and plot reservations.
- Regularise the churchyard so that it complies with the law (see below).

The rules of the churchyard, and their local application

- We recognise that the churchyard rules, as set out in the “Churchyard Handbook”, are set by the Chancellor and apply to all churchyards in the Diocese of Chelmsford; and that these rules come as part of a legal framework, and so are part of the laws of England.
- The PCC has used its limited discretion within the law to allow the planting of small plants, flowers and bulbs on individual graves and in the Garden of Remembrance, and to allow bark chippings to be placed on graves (but not in the Garden of Remembrance).

Publicising the rules of the churchyard

- The leaflet “The Churchyard Code” is our summary of the churchyard rules for the Diocese of Chelmsford, taken from the “Churchyard Handbook”. This leaflet includes what is and is not allowed to be left on graves, and how the churchyard is to be regularised if unlawful items are left on graves.
- “The Churchyard Code” will be given to all families of loved ones, as pastoral circumstances allow. If possible, we will briefly explain the rules, where they come from, and the aim of the rules (which is to create a sacred, shared and sustainable memorial space).
- “The Churchyard Code” will occasionally be sent to the e-mail addresses for all the families that we have contact details for, especially when the leaflet is updated.
- “The Churchyard Code” will be given to those who apply for a headstone or for additional wording on a headstone by CR1 or Faculty.
- Copies of “The Churchyard Code” are to be freely available inside the Church and on noticeboards around the churchyard. It is available on the Church website.
- “The Churchyard Code” will be sent to Funeral Directors and stonemasons when it is revised, to inform their practice.
- Signs containing a brief summary of the churchyard rules are to be erected at strategic positions around the churchyard (e.g. entrances, tap locations, and the collection point for items which we have removed).
- Occasional messages will be given out to the Church congregation orally and in the monthly What’s On newsletter.
- Occasional messages will be posted on the We’re From Galleywood Facebook page, including links to “The Churchyard Code” and this Policy.

Regularising the churchyard

We recognise the need to regularise the churchyard – i.e. to make sure that it complies with the law. We also recognise that this is an enormous and never-ending task, due to the size of the churchyard and the number of unlawful items left on graves (from this point, reference to “graves” includes the Garden of Remembrance). To make the job more manageable, we will deal with different types of item, different areas of the churchyard, and different families, at different times, as our circumstances allow and according to pastoral need.

There are three ways in which we will seek the removal of unlawful items from graves:

1. *By asking for items to be removed*

We will contact the family concerned in writing (either by e-mail or letter if we have contact details, or by leaving a letter in a plastic wrapper attached to headstone if we do not have contact details) to ask them to remove the unlawful items within a set time-frame (usually at least one month). Communication will include a copy of “The Churchyard Code”, and we will

offer to meet with the family if desired, in order to care for them and help them with what could be difficult for them. If the items are not removed within the time-frame, we will communicate a second time in writing to again ask for the items to be removed within a certain length of time (usually at least another month), again offering to meet with the family, and stating that if the items are not removed we may seek a Faculty to remove the items ourselves. The seeking of a Faculty will be a last resort – we will always do our best to reach a mutual agreement with families. If we do need to remove the items ourselves after obtaining a Faculty, we will communicate in writing with relatives to say what we have done and why, and where their items (if still usable) can be collected from if desired.

This applies to:

- Artificial flowers.
- Pots and vases containing plants and flowers which have been left on a grave even though the ground has settled and it is therefore possible to plant plants directly into the soil (usually after about six months).
- Personal items which have been left on a grave for longer than the allowed period. (Personal items may be left on a grave until the sooner of the following: (a) a new headstone is put in place, or a new inscription is added to an existing headstone; and (b) twelve months after the burial.) Personal items include decorated stones, ornaments, toys, keepsakes, lanterns, solar lights, candles, windmills, wind chimes, balloons, and photos.
- Wooden memorial crosses which have been left on a grave without the permission of the PCC for longer than the allowed period. (A wooden memorial cross may be left on a grave until the sooner of the following: (1) a new headstone is put in place, or a new inscription is added to an existing headstone; and (2) three years after the burial.)
- Memorials such as stone or plastic memorial vases, plaques, photographs and slates.
- Permanent or semi-permanent items such as kerbs, borders, stone slabs, loose stones, chippings, pebbles and loose slates.
- Living things planted on graves which will grow too big or create a border, such as hedges, trees and shrubs.
- Living things planted outside of the allowed size of a grave, which is (including the headstone plinth) 7ft x 3ft for full burials and 3ft x 2ft for ashes burials.

2. *By removing items ourselves without prior notice, but with communication afterwards*

We will remove some unlawful items from graves without giving notice to relatives, and without the need to apply for a Faculty, if those items are judged to be:

- Dangerous (e.g. glass, rusted items, damaged ceramic pots, kerbs which are a trip hazard).
- Not in keeping with the ethos of the churchyard (e.g. alcohol, and superstitious symbols such as gnomes and horseshoes).
- Impeding maintenance (e.g. tools or other items left behind headstones).
- Out of season (e.g. items for Remembrance, Christmas or important anniversaries which remain on a grave for more than two weeks after the event).
- Items which look unsightly, including dead plants in pots that cannot be revived, and empty pots.

We will then communicate in writing with relatives to say what we have done and why, and where their items (if still usable) can be collected from if desired.

3. *By removing items ourselves without prior notice or communication afterwards*

We will remove some items without prior notification, or communication after the removal, and without the need to apply for a Faculty, in order to keep the churchyard tidy, such as flowers which have died and any associated wreaths, plastic wrappers and trays (this includes funeral displays).

Legal authority to remove items

For items in categories two and three above, we do not need a Faculty to allow us to remove those items. For other items, we will apply for a Faculty to allow us to remove items.

Storage of items to be removed

- Items which we have removed (if still usable) will be laid out by the shed door, against the north wall of the spire, for a reasonable length of time.
- A sign will be created saying that this area is often used for items that have been removed from graves after giving due notice, so they can be collected if so desired.
- Some items may need to be placed in a safer place inside the shed or Church.
- All alcohol left on graves will be disposed of straight away.

Special cases and circumstances

- While doing our very best to apply the churchyard rules fairly to everyone, we will take a bespoke approach to individual families where we have the knowledge to do so. This might mean that regularisation moves at a different pace for different graves, for compassionate reasons. Especially, we might seek regularisation at a slower pace for families who have lost children, while monitoring the grave and taking opportunities to help those families to move towards a position that complies with the law, as circumstances allow.
- Some items were allowed under the Chancellor's rules in the past, but are not allowed now, e.g. permanent stone borders. We will not seek the removal of items that were put in place before the rules changed, and we will allow their renewal on a like-for-like basis.

Maintenance of headstones

- Ownership and maintenance of headstones remains the responsibility of the person or family who paid for the stone and made arrangements for it to be put in place.
- We will occasionally test headstones for stability and safety, and will inform families (where possible) if remedial work needs to be undertaken, at their expense.

Mounded or sunken graves

- "The Churchyard Code" leaflet will advise families not to plant anything into a grave until at least six months after the burial, to allow the ground to settle.
- Where a grave remains mounded, or has sunk, we will communicate with the family concerned to offer help to rectify the situation.

Record-keeping

We will keep a record of written correspondence and oral conversations relating to the churchyard, as far as we can.