

Memorials and Churchyard Management:

*Guidance for best
practice for Clergy,
Churchwardens and
others*

November 2023



Guidance for best practice for Clergy, Churchwardens and others involved in the management of Churchyards and Memorials

Introduction

The process of introducing and managing memorials in churchyards presents a variety of practical, pastoral and legal factors which clergy, churchwardens and others must take into account. These guidelines are intended for use in conjunction with the Churchyard Regulations issued by the Diocesan Chancellor which set the legal framework for what can, and cannot, be permitted in churchyards by incumbents, what can be referred to an Archdeacon for consultation and what can only be introduced by way of a faculty.

It is important for clergy to familiarise themselves with these regulations, particularly if entering a **first incumbency**, or if moving into a **new post** where previous ministry may not have involved managing a churchyard. Since Churchyard Regulations currently vary between dioceses, **clergy newly moving into posts in Coventry diocese** will also need to take particular note of the regulations which apply here. **Training incumbents** and others involved in IME2 training should ensure that **curates** are made aware of the Churchyard Regulations and issues relating to the management of churchyards, even if their curacy placement setting does not include an open churchyard.

These guidelines for best practice were drawn up by a Churchyard Task Group, commissioned by The Right Reverend Dr Christopher Cocksworth, the Bishop of Coventry in 2023 to offer support to clergy, churchwardens and others in providing a sensitive and compassionate pastoral response to families seeking the introduction of a memorial in a churchyard, whilst also giving due and necessary regard to the regulations in place.

Section 1: Preparation & Communication

Many potential difficulties can be overcome by doing some good groundwork and beginning discussions about memorials at the earliest appropriate stage. It is better to deal with issues at a local level wherever possible.

Good practice includes:

- Taking the earliest opportunity (for example, where appropriate, during funeral visits) to advise bereaved families to be in touch with the church first for guidance before deciding on any memorial
- Ensuring families have access to 'Guidance to the Bereaved: Memorials in Churchyards' available under the Churchyard section of the diocesan website before going ahead with any memorial application
- Making the bereaved and memorial masons aware that a period of at least 6 months after an interment must elapse before any memorial application can be considered, to allow time for ground to settle and for the bereaved to reflect on the most appropriate form of memorial.
- Familiarising yourself with Churchyard Regulations and referring carefully to these when considering any new memorial application
- Recognising that what may have been permitted by predecessors cannot be taken as a precedent for approval of new applications without regard for current regulations

- Building good relationships with local funeral directors and memorial masons, ensuring they are aware of the latest regulations and encouraging them to give guidance to the bereaved in line with these regulations
- Liaising with funeral directors so they are aware of who can be buried in your churchyard. Some parishioners, particularly UKME/GMH community members may not realise that the possibility of burial in the local churchyard is open to them
- Ensuring memorial masons have the correct Memorial Application Form for use and complete all the relevant sections, including a full, detailed design of the proposed memorial with dimensions and any inscriptions, symbols or flower vase intended for inclusion
- Giving training to Parish Administrators, Churchwardens or others who may be assisting with memorial requests and/or applications so that they can give appropriate advice to the bereaved and/or to memorial masons
- Ensuring families are aware of any provision for the burial of ashes and that ashes must be interred into the ground either in an existing family grave, adjacent to an existing family grave or in an Area for the Burial of Cremated Remains (ABCR) unless a faculty is obtained. Ashes must not be scattered in the churchyard under any circumstances.
- Taking advice from the Registry regarding any full burial or interment of ashes in a closed churchyard.
- You might like to produce a leaflet for your own parish, based on the above. This could include information about what happens at the burial itself and how longer term upkeep of the plot is managed
- Including in the leaflet information regarding restrictions around additional memorial items such as artificial flowers, wind or solar propelled items, kerbing, chippings or artificial turf
- Making use of existing noticeboards in churchyards or installing them (with faculty permission) to aid communication around what is and is not acceptable on grave plots
- Giving careful consideration to the circumstances of the death which might affect memorialisation (for example the death of a child, sudden or tragic death, life lost to suicide, or particular cultural considerations relating to the deceased)
- In the case of prolonged absence, sabbatical or as the parish is approaching a vacancy, ensuring churchwardens and others are aware that Memorial Applications must be submitted to the Area Dean for consideration and cannot be signed off by others

Remember:

Whilst we will want to provide every assistance to the bereaved, incumbents are not obliged to permit any memorial, even if it appears to be conforming, and should not feel under pressure to do so. If you have concerns about the suitability of any memorial or inscription, seek advice from an Area Dean or member of the Archdeacons' team and/or the Diocesan Registry. Incumbents reserve the right to refer any memorial application to the faculty procedure, to seek the Chancellor's further advice and authority. Always keep the bereaved family and the memorial mason informed so they understand the reasons for any delay.

Section 2: Memorials which conform with Churchyard Regulations

The Chancellor gives delegated authority to Incumbents, or Area Deans where the parish is in vacancy, to permit memorials which conform with the Churchyard Regulations. A Memorial Application Form must be completed in full. The form is usually provided by the memorial mason and can also be downloaded from the diocesan website. The memorial mason will usually complete the form in discussion with the bereaved family and submit it to the local priest for approval.

Good practice includes:

- Ensuring that a period of at least 6 months has passed since the interment of the deceased before approving any memorial
- Encouraging memorial masons to contact the church before a memorial application is submitted if they are aware that some aspects of the proposed memorial may not conform to the regulations e.g. the type of inscription
- Working with bereaved families and the memorial mason to suggest ways in which a proposed non-conforming memorial might be adapted to become conforming where appropriate
- Checking the Memorial Application Form carefully, with reference to the Churchyard Regulations, before signing it off. Key details to be alert to are: the type of stone, the surface finish, the nature of the inscription, the colouring of lettering and any proposed symbols included in the design.
- Ensuring that, for any proposed inscription in a language other than English, a translation is provided in the application paperwork and that the translation is verified. When the memorial is installed, a translation of the inscription should be included in the churchyard records.
- Seeking advice from the Area Dean, Archdeacons' team and/or Diocesan Registry about any aspects of the memorial which do not appear to conform to the regulations
- Ensuring the church keeps a copy of the Memorial Application Form as well as returning the signed copy to the memorial mason.
- Keeping records of applications, whether as hard copies or digitally, so that you retain a point of contact for each memorial
- Having a clear system in place for collecting the statutory fee for the installation of the memorial
- Asking the memorial mason to inform the church when the installation is to take place and ensuring that the memorial installed is consistent with the original application
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Section 3: Matters to be referred to an Archdeacon

The Churchyard Regulations include a requirement for the following matters to be referred to an Archdeacon for consultation before permission can be given by the incumbent:

- where there is doubt as to the suitability of the shape or style of memorial stones (CR24c, d)
- memorials in the form of a natural boulder with a single sloping face (CR25)
- where there is doubt as to the suitability of a stone vase as part of the memorial design (CR26)
- in the case of a proposed non-conforming memorial where there already exists in the churchyard a group of at least six memorials of the same material, design and colour in a contiguous area or row (CR35)
- where there is doubt as to whether a proposed inscription satisfies the conditions set out in the churchyard regulations (CR43)
- where there is a request for more than one symbol in the form of a plain cross, a dove or a floral symbol (CR45)
- where there is a request for a symbol which has a particular relevance to the life of the deceased (CR46) and where there is a request to include this in addition to one of the symbols described above (CR48)
- where there is a request to incise a small prayer or image on the reverse of the memorial (CR54)

Section 4: Non-Conforming Memorials and the Faculty Procedure

If a proposed memorial falls outside the scope of what the incumbent may permit under the delegated authority of a parish priest (or Area Dean if in vacancy), permission must be sought from the Chancellor through a legal process for a faculty. This is done through a Memorial Petition Form rather than through the on-line faculty system.

A step by step guide to the Faculty Procedure is provided below and is also available as a leaflet for bereaved families 'The Faculty Procedure: Applying for a Non-Conforming Memorial in a Churchyard' in the churchyard section of the diocesan website.

It can feel both surprising and daunting for the bereaved to learn that introducing a memorial to a loved one in a churchyard may involve a legal process. It is important to prepare them well for this and to assist them through each stage and at the point when the Chancellor's final decision is known.

The PCC must also discuss and give a view on any proposed non-conforming memorial. This includes taking a vote and providing a resolution as part of the faculty petition process. Some guidance is offered below to help prepare the PCC for considering non-conforming memorials

Good practice includes:

- Familiarising yourself with the Faculty Procedure so both you and the bereaved family know what to expect
- Informing the family that the process is likely to take at least six months
- Explaining clearly to the bereaved family why a faculty is needed
- Outlining the stages involved in the process. Providing the leaflet 'The Faculty Procedure: Applying for a Non-Conforming Memorial in a Churchyard' (see below)
- Assisting the family to access the Memorial Petition Form from the diocesan website or from the Registry and offering guidance, when requested, on how to complete it
- Being aware that you will need to complete Section 4 of the Memorial Petition Form once the PCC has met to discuss the memorial petition, take a vote and provide a resolution
- Providing a covering letter from the PCC, including the PCC resolution regarding the petition and any other helpful background information to set the PCC's view in context
- Making the bereaved family aware that there is a cost involved in petitioning for a faculty and that the statutory fee paid is not a guarantee that the petition will be approved. The fee is reviewed each year in January and in 2023 stood at £317.00
- Being aware that the petition will also be submitted to the DAC for its view, that public notices regarding the proposed memorial will need to be displayed inside and outside the church for a period of at least 28 days and that you will need to complete a certificate of display to return to the Registry by post before the petition can be submitted to the Chancellor for consideration
- Being aware that the faculty permission, or the Chancellor's ruling as to why the petition has been refused will be issued to both the local church and the family at the same time
- Contacting the family and offering pastoral support once the outcome is known
- Being aware of appeals procedures, referring the family to the Diocesan Registry at the earliest possible stage should they express a wish to appeal
- Informing and seeking advice from the Archdeacon Pastor and Diocesan Director of Communications should the case attract media attention and before making any public response.
- Offering to lead a time of prayer at the installation of the memorial if a considerable period of time has elapsed since the original application

The following is taken from 'The Faculty Procedure: Applying for a Non-Conforming Memorial in a Churchyard'. This is available for download from the diocesan website as a guide for bereaved families

The Faculty Procedure

Design for Memorial

Contact the local parish priest for advice on memorial design referring to the Churchyard Regulations.

Agree design with memorial mason.

Complete a Memorial Application Form.

If there is any information missing from the form it is returned to the applicant or memorial mason for completion.

Does the Memorial conform to the Churchyard Regulations?

Can the memorial be permitted with the Chancellor's delegated authority by the local parish priest or Area Dean (if in vacancy)?

If YES

The local parish priest or Area Dean signs the application form granting permission to proceed and returns it to the memorial mason.

If NO

A Faculty is required from the Chancellor

Applicant completes the 'Memorial Petition Form'

[memorial-app-nonconforming-removal50379459445.pdf \(d3hgrrlq6yacptf.cloudfront.net\)](https://www.d3hgrrlq6yacptf.cloudfront.net/memorial-app-nonconforming-removal50379459445.pdf),

including any previous Memorial Application form, together with a cover letter detailing why the design has been chosen.

PCC Consultation & Resolution

The petitioner provides the completed petition form and supporting documents to the local parish priest or Parochial Church Council (PCC) Secretary for the PCC to discuss the petition, take a vote, provide a resolution and complete section 4 of the petition form. The PCC should provide reasons for their decision and any background information specific to the local churchyard e.g. existing memorials of a similar design.

Petition Form & Fee to Registry

The Memorial Petition Form together with the PCC resolution, covering letter and payment of the statutory fee is sent to the Diocesan Registry by either the local church or petitioner. The fee is paid by the petitioner by cheque to Rotherham & Co. Limited upon application. Details of fees are provided on the petition form and on the churchyard section of the diocesan website.

Receipt of Petition

The Diocesan Registry checks the contents of the petition and confirms receipt to the petitioner. The petitioner will be asked to provide any missing information.

DAC Consultation

When complete, the petition is submitted to the Diocesan Advisory Committee (DAC) for consideration at their next meeting held approximately every 6 – 8 weeks. The DAC issues a Notification of advice to the Diocesan Registry to advise whether they 'recommend', 'do not recommend' or 'do not object' to the proposed memorial. This is not the final decision but is taken into account, together with the views of the PCC, by the Chancellor when considering the petition.

Public Notices

The Registry issues two public notices and a certificate of display to the petitioner to provide to the local church. The public notices regarding the proposed memorial must be displayed in prominent positions inside and outside the church for a required period of 28 days. If a member of the public wishes to object to the proposed memorial they may do so in writing to the Diocesan Registry during the display period.

Public Notices (cont.)

Following the expiry of the display period the notices are returned to the Diocesan Registry by post by the local church, together with the certificate of display signed by the local parish priest, Area Dean or churchwarden.

Chancellor's Decision

Following the return of the public notice and certificate of display the petition is submitted to the Chancellor for consideration. The Chancellor will provide his decision to the Diocesan Registry.

If a faculty is granted the Diocesan Registry will issue a sealed document to the petitioner for safekeeping, a copy to the local church for keeping in the church records and a copy to the memorial masons as permission to proceed.

If the petition is refused the Chancellor will issue a judgment giving the reason(s) for the refusal.

What if someone objects during the public notice period?

The petitioner will be advised by the Diocesan Registry of all objections received and of any further steps to be taken.

Can there be an appeal?

Permission to appeal can be sought by the petitioner within 21 days of the date of the Chancellor’s judgment. Please contact the Diocesan Registry at the earliest opportunity regarding an appeal so advice can be given regarding the procedure and potential costs. The local parish priest or Area Dean cannot appeal the Chancellor’s decision on behalf of a petitioner.

Can the Bishop overrule the Chancellor’s decision?

The judicial procedures of the Chancellors and Consistory Courts are outside the control of Diocesan Bishops. This means that the Bishop cannot overrule the Chancellor’s decision or interfere in any way in these legal proceedings.

Other situations which may involve a Faculty

The information provided above is for the installation of a new memorial into the churchyard on a grave that does not already have a memorial in place.

Contact the Diocesan Registry for advice on the following:

Altering existing memorials (including turning over of a memorial plaque)

- Removing or altering an existing memorial
- Additional memorials on an existing grave
- Reserving a grave or interment space
- Interring remains in existing plots in closed churchyards outside of an Area for Burial of Cremated Remains (ABCR) approved by faculty
- Setting up or extending an ABCR

**Churchyard Regulations
Guidance & Summary Pages**

Summary of guidelines for what will normally be acceptable for a memorial and may be permitted by the local Priest under delegated powers from the Chancellor of the Diocese.

Any proposed memorial not meeting these guidelines requires permission from the Chancellor for its installation. The Priest has the right to refer to the Chancellor the installation of any memorial, even if it complies with this summary. Please also consult the full Churchyard Regulations.

BURIAL			
VERTICAL STONES	Height	Adult	No more than 1200mm (4') high (measured from the surface of the ground), or less than 762mm (2'6") high (measured from the surface of the ground)
		Child	May be smaller, but should be no less than 610mm (2') high
	Width	Adult	No more than 915mm (3') wide, or less than 510mm (1'8") wide
		Child	380mm (1'3") wide
	Thickness	Adult	No more than 152mm (6"), or less than 76mm (3") thick if a slate memorial: may be thinner, but no less than 40mm (1.5") thick
		Child	50mm (2") thick

Horizontal stones or ledgers		No larger than 2100mm (7') by 915mm (3'), including the base. Should be flush with the surrounding ground so that a mower may pass freely over them.
HEADSTONE	Design	<p>EITHER:</p> <p>An upright headstone may stand on a stone base provided that the base is an integral part of the design and does not project beyond the upright stone by more than 101mm (4") in any direction unless a vase hole is included when it may project 180mm (7") in front and 101mm (4") behind the upright stone. The stone base must be fixed on a foundation slab extending no more than 152mm (6") nor less than 76mm (3") all round.</p> <p>N.B. Your priest may not authorise memorials in the shape of a heart, nor kerbs, railings or chippings. Memorials in the shape of books can only be authorised in exceptional cases.</p>

	Materials	<p>Natural stone of a colour, type and texture traditionally used within, or in the locality of, the churchyard concerned.</p> <p>N.B. Your Priest may not authorise a synthetic material which is polished or has a reflective finish</p>
	Engraved symbols	<p>A plain cross not exceeding 152mm (6") in height or a single floral symbol extending up to the length of any one side and for no more than 20% of the width of the top of the memorial.</p> <p>N.B. Your Priest may not authorise photographs or portraits. He or she may authorise some other symbols after consultation with the Archdeacon. If you wish an additional symbol please discuss it with your parish priest.</p>
	Inscriptions	<p>Should:</p> <ul style="list-style-type: none"> • Be consistent with the Christian belief in life after death • Not be simply confined to expressions of personal loss or sorrow • Be simple, reverent and commemorate accurately the existence of the person who has died • Be informative to future readers • Record either his or her full name or else the surname and the Christian name by which he or she was generally known (for example "Thomas Joseph Smith" or "Tom Smith") • Be incised into the stone or carved in relief <p>May:</p> <ul style="list-style-type: none"> • Appropriately record what he/she did ("farmer in this village for fifty years") or some feature of his/her character ("a much-loved father and grandfather" or "a kind and gentle daughter") • Include a biblical text, or an extract from a poem, or some suitable phrase from other Christian sources • Be painted black or white or in a colour that harmonises or blends in with the underlying stone <p>N.B. Your Priest may not authorise gilding or silvering of letters</p>
	Additional inscriptions	Should match the style and appearance of the earlier inscription
	Mason's trademark	If the applicant so wishes, this may be added discreetly on the back of the memorial.
PROVISION FOR FLOWERS		<p>A stone vase may be included provided it is securely cemented into sunken slab and is not less than 203mm (8") cube and not more than 304mm (12") cube.</p> <p>N.B. Artificial flowers are not allowed except for Remembrance Day poppies and wreaths. These can be placed in the periods</p>

		leading up to Remembrance Day, Christmas, and Easter and on the anniversaries of birth, death, or marriage but must be removed within one month.
CREMATED REMAINS	Cremated remains to be interred in an ABCR or existing grave	Cremated remains can only be interred in Gardens of Remembrance or Areas for the Burial of Cremated Remains (ABCR) or in or immediately next to the existing graves of family members. Each such area has separate rules about what memorial stones can be placed there and you should ask the parish priest for details. Consult the Registry re the interment of cremated remains in existing plots in a <u>closed churchyard</u> .
	Cremated remains: inscriptions	Additional inscriptions may be made to existing grave memorials provided that: <ul style="list-style-type: none"> • Such additions exactly match the style and appearance of the earlier inscription and are consistent with the regulations applied to other inscriptions • They are approved by the local priest

Sample Guidance for PCCs
Non-conforming Memorials and PCC Resolutions

The following template is designed to help the incumbent prepare the PCC well for discussions about non-conforming memorials where the PCC are required to give a view on the proposal, take a vote and provide a resolution as part of the faculty process. It is helpful to send documentation, including the proposed design of the memorial to PCC members along with this guidance ahead of the meeting.

Request to PCC for Non-Conforming Memorial Headstone for the (Name) Family

What is a non-conforming memorial?

The Chancellor of the Diocese has legal responsibility for the kind of memorials permitted in churchyards. He gives delegated authority to the local priest (or Area Dean if parish is in vacancy) to permit memorials which conform with the Churchyard Regulations, relating to type of stone, size, inscriptions, symbols etc. If bereaved families wish to install a memorial which falls outside the scope of what an incumbent can permit they have to apply to the Chancellor for a Faculty and pay a statutory fee. From 1st January 2024 this will be £327.40. This fee is reviewed each year in January and is available on the diocesan website.

If you would like to read the Churchyard Regulations in more detail please go to:
http://www.dioceseofcoventry.org/index.php?page_ref=1132

Why is the (family name) memorial non-conforming?

Describe here the particular element(s) of the proposed memorial design which necessitate a faculty.

Why is this coming to the PCC?

Before the Chancellor can consider the faculty petition, the PCC has to express its view about the installation of the proposed memorial in the churchyard. A certified copy of the PCC's resolution has to be sent with the faculty petition, including information about how many members attended the meeting and how many voted in favour of/against the proposed memorial.

The question for the PCC to vote on is:

Would we permit the (family name) memorial headstone as described and illustrated in the faculty petition paperwork to be erected in the (name of churchyard)?

Please note: the PCC decision does not mean the memorial is automatically approved or rejected by the Chancellor. The request also goes to the Diocesan Advisory Committee (DAC) and then to the Chancellor, who takes into account the PCC and DAC view and makes a final decision.

What further information do we have?

Include here a summary of any further information from the family, the Diocesan Registry or information specific to your churchyard setting which may be relevant to this particular case e.g. memorials of a similar design

Sample Guidance for PCCs
Non-conforming Memorials and PCC Resolutions

This template gives an example of a PCC Resolution which can be adapted in other contexts. It is helpful to prepare some draft wording in advance of the PCC meeting so that the Resolution can be accurately recorded in the Minutes. Sending a covering letter containing the Resolution together with the faculty petition paperwork gives more context to the PCC's decision. It is not necessary to send the Minutes of the whole meeting to Registry with the faculty petition, just the items relating specifically to the memorial petition.

Resolution of the PCC (Parochial Church Council) of (church name) regarding the faculty petition for a non-conforming Memorial for the (name) family.

Summarise here the family's request and the elements of the proposed memorial which necessitate a faculty

After discussion at its meeting on (date) at (time), the PCC passed the following resolution:

That the PCC would/would not recommend the installation of the (family name) memorial, as described and illustrated in the faculty petition paperwork, in the (church name) churchyard

Include a copy of the relevant minute(s) here

The PCC took the following points into consideration:

Outline any background from your context and/or points raised in the PCC discussion which the Chancellor should be aware of

The meeting voted on the faculty petition as follows:

(number) members voted in favour, (number) members voted against and (number) members abstained. A total of (number) PCC members with voting rights were present at the meeting.

Signed (Chair or Lay Chair of PCC):

Date: