

BRAMM Complaints

BRAMM can only advise on BS 8415 Standards and the Safe fixing of Memorials:

Policy

1. BRAMM do not receive requests for technical advice from members of the public as these are not straightforward to deal with directly. The member of the public should firstly contact their –
 - Mason – who can ask BRAMM for technical advice if required.
 - Then if the Mason is unable to help they should go through their Burial Authority who can also ask BRAMM for technical advice if required
2. If another Mason wants to Complain about a BRAMM Mason they should contact the relevant Burial Authority. The Burial Authority will then determine whether or not a complaint should be taken forward. The complaint must come from the Burial Authority and the mason should have no further involvement.
3. If a member of the public is not happy with their Memorial they must first contact their BRAMM Registered Mason and explain the problem.
 - *If their Mason refuses to help and they are still concerned that their Memorial is unsafe or non-compliant to BS8415 they should contact the BRAMM Burial Authority concerned and ask for advice.*
 - *If the BRAMM Registered Burial Authority is concerned that the Memorial is Non-Compliant to BS8415 they can submit a complaint in writing using the on-line Complaint Form on the BRAMM Website.*
 - *Details of the BRAMM Complaints Procedure can also be found below.*
4. Any Complaint must be submitted by the appropriate Burial Authority where the Memorial is erected, and be specifically regarding the safe fixing of Memorials to BS8415 by a BRAMM Registered Mason.

Note: Exception to the above - If a family member (grave owner) has a memorial which is within a Church Yard or small Parish Council which does not have anyone able to give guidance. BRAMM may allow them to use the Complaints Procedure on issues that they feel are fixing/safety related. Costs may be incurred by the Complainant if the memorial is found not to be unsafe.

Procedure for a Complaint about a BRAMM Registered Mason regarding the safe fixing of Memorial

When a complaint against a BRAMM Registered Mason is received, the following protocols should be followed:

Stage 1

1. The complainant (Burial Authority) must first submit enough detailed information to allow an informed decision. This is done on the BRAMM website using the appropriate form which will be directed to the BRAMM Administrator.
2. The BRAMM Administrator will check that the cited company is on the BRAMM Register.
3. The Burial Authority should include written details of any action they have taken in relation to their own procedures and the result. It is important that an Authority follow their own procedures initially as most Masons will deal with a complaint from an Authority.
4. The BRAMM Administrator will then forward all relevant information including any photographic evidence to the Complaints Committee Chairperson. *The Complaints*

Committee Chairperson will have autonomy to decide if the Complaint should go forward to the Complaints Committee.

Stage 2

1. Chairperson – will be responsible for receiving all initial correspondence for complaints from BRAMM Head Office and deciding –
 - If BRAMM can help with the Complaint.
 - If sufficient information has been supplied by the Burial Authority.
 - If further information is required from third party, for example Mason/Burial Authority/BRAMM Technical Advice.

Stage 3

If there is a suspected problem the cited BRAMM Registered Company should be contacted, via the BRAMM Administrator and given a copy of the complaint. Any further information requested by the BRAMM Chairperson should be supplied in writing within 14 days. If the company accepts the complaint and agrees to make good the memorial they are to be given 28 days to complete the work and provide obvious photographic evidence of compliance. If the cited BRAMM Registered Company do not reply in the specified time-frame BRAMM reserves the right to suspend the Company from the BRAMM Register.

Stage 4

1. When the Complaints Committee Chairperson is happy that enough background information is available to establish the facts, and for a decision to be made, they will ask a Minimum of 2 and Maximum of 3 Complaints Committee representatives to form a Complaints Committee Disciplinary Panel (CCDP) to look at the complaint. All relevant information will be forwarded to the named CCDP.
2. The cited BRAMM Registered Company and the Burial Authority involved should be informed of the decision to forward the Complaint to the BRAMM CCDP and should also be given a copy of all the information available as well as a copy of BRAMMs Complaints Procedure.

Stage 5

The BRAMM CCDP will then have **14 working days** in which to reach its decision. If one member of the panel is unable to be active on the case it will fall to the other two members to make a decision. The 14-day period may be extended if the CCDP decides that further information is required. The cited BRAMM Company should be informed of the time extension.

Chairperson will ensure they have a decision from the Complaints Committee within the agreed timescales.

If the Chairperson or the CCDP feels that the Memorial structure may be dangerous they may request a BRAMM Assessor visit the Burial Ground to inspect and evaluate the Memorial – Bypassing the above stages

- Both the Burial Authority and the cited BRAMM Registered Company should be invited to attend and may be asked to remove and re-fix memorial and also be given a copy of the BRAMM Assessors report.
- If the Memorial is found to be not compliant to BS8415 or unsafe the cited BRAMM Company will be charged an inspection fee and may be disciplined.
- If it is proved the memorial was compliant to BS8415 and safe, the cost of the inspection will be paid for by BRAMM.

All correspondence to the Complainant and BRAMM Registered Company should be timely and through BRAMM HO.

Stage 6

Sanctions against a BRAMM Company/Fixer available to the BRAMM Complaints Committee.

Note: BRAMM Complaints Committee may apply any sanction in the list below that they deem appropriate.

1. First Written Warning: Note on BRAMM Company file.
2. Further Written Warning: Note held on BRAMM Company file.
3. Fixer Suspended from the BRAMM Register and fixer requested to re-take the BRAMM fixer License before being allowed back on the register, together with a Written Warning.
4. Company Suspended from the BRAMM Register and all company fixers requested to re-take the BRAMM fixer License before being allowed back on the register, together with a Written Warning.
5. Removed from the BRAMM Register fully and all local burial authorities to be informed within the trading area of the company.

When a BRAMM Registered Company receive a sanction 3, 4 or 5, their local BRAMM Registered Burial Authorities will be informed.

Appeal process is available for all decisions, but must have some new evidence/information not already seen and must be made to BRAMM in writing within 14 working days of the date of notification of the disciplinary decision. '*See Right of Appeal document*'

Stage 7.

Letter detailing the decision of the CCDP to be sent to the Complainant and the cited BRAMM Registered Company detailing the full nature of the complaint along with any sanctions imposed on them (if not already sorted)

They will be given a time-frame in which to complete any work required to ensure the Memorial is BS8415 compliant or Safe and failure to comply may result in further sanctions being imposed. The cited BRAMM Registered Company will supply evidence of completed work as requested by the CCDP. They may allow photo/video verification or if requested a BRAMM Assessor must oversee the work, in which case the cited BRAMM Registered Company will be responsible for reimbursement of Assessor expenses.

They should also be sent a copy of the BRAMM Complaints Appeal Procedure and informed of their right to appeal the decision, and that they will have 21 working days to appeal the decision in writing.

Notes:

*The Complaints Committee will consist of –
1 x Chairperson
1 x Burial Authority representative
2 x Mason representatives.*

If a complaint is made directly to a board member or officer, regardless of origin, they should have no involvement with or make any judgment on the perceived complaint and should direct the complainant to the BRAMM Head Office.

If at any time, it is suspected that a Memorial is dangerous or a risk to Public Safety, BRAMM Reserve the right to send a BRAMM Assessor to inspect and write a report on the Memorial and if considered appropriate request the Mason or Burial Authority to make the Memorial Safe.

BRAMM will not use an Assessor or Complaints Committee member who has a commercial interest in the BRAMM Registered Company involved in the Complaint. Any person involved who has a commercial interest must declare a 'Conflict of Interest'

In the absence of the Complaints Committee Chairperson, BRAMM Head Office may ask a deputy Complaints Committee Chairperson to stand in temporarily.

Complaints Procedure files will be locked way and access restricted to the persons dealing with the Complaint.

BRAMM reserve the right to terminate a complaint in the event of any verbal abuse or bullying of their Staff.

Right of Appeal

Any BRAMM registered company or licensed fixer may appeal against any decision made by the BRAMM Disciplinary Committee, but they must have some new evidence/information not already seen.

The appeal must be made to BRAMM in writing within 14 working days of the date of the notification of the disciplinary decision.

The appeal application must set out the grounds in which the appeal is made and only those grounds will be considered at the appeal.

The BRAMM Appeal committee will be made up of a different panel of Complaints Committee Representatives. The Appeal Committee will consist of 3 Complaints Committee representatives, if necessary other BRAMM Board members may be asked to form the Appeal Committee, and have 14 days to reach a decision.

The BRAMM registered company or licensed fixer may be invited to an appeal hearing and will have the right to be accompanied to that hearing; they will be notified of that right when invited to the appeal hearing.

The appeal hearing will reconsider the original decision (**made by the BRAMM Complaints Committee Disciplinary Panel**). The BRAMM registered company or licensed fixer will have an opportunity to put forward the following:

- New evidence which was not available during the first hearing.

- Complaints of a flaw in the original decision-making process such as the failure to follow procedures or the failure to give a fair hearing.

The appeal application will be sent to all interested parties and they will be invited to submit a written response to the appeal hearing. Any written responses received will be copied prior to the hearing and the authors of such responses may be invited to attend the hearing to give oral evidence.

The outcome of any appeal will be confirmed to the BRAMM registered company or licensed fixer in writing within 7 days of the hearing and will take one of three forms.

- ✓ *The original decision may be upheld, in which case any disciplinary sanctions will be confirmed.*
- ✓ *The original decision may be overruled in which case any disciplinary sanction will be rescinded.*
- ✓ *The original decision may be substantially confirmed but a lesser or more severe sanction may be substituted for that originally imposed.*

There is no further right of appeal.

The appeal will be heard by the BRAMM Appeals Committee which shall be formed by BRAMM with representatives from the mason and burial authority sectors of the industry being persons not involved in the complaints or the disciplinary procedures on such complaints to date.

Any disciplinary decision will remain in place on the making of an appeal application until the final decision of the appeal.

Costs: The normal rule will be that should an appeal fail, the BRAMM Registered Company will be responsible for all BRAMM Appeal Committee costs.

If an Appeal is successful then BRAMM will be responsible for all BRAMM Appeal Committee costs