

CHURCHWARDENS TRAINING A QUICK GUIDE TO FACULTIES

1. WHY DO WE NEED A FACULTY?

- Legal requirement: Canon F 13.3
- We have the 'Ecclesiastical Exemption' from Listed Building Control, which needs to be safeguarded
- Church Buildings are not 'ours'
 - The Bishop has an interest (exercised by the Chancellor)
 - The wider community has an interest
 - Future generations have an interest
 - Former benefactors have an interest
- It ensures that work is done to appropriate standard for a place of worship, and will last into the future
- It provides a free second opinion
- NB. Some secular controls may apply – e.g. planning consent, building controls, advertising consent, H&S.

2. WHAT DO WE NEED A FACULTY FOR?

- '*any alterations, additions, removals or repairs...in the fabric, ornaments or furniture of the church*' (Canon F13.3)
- includes the churchyard and buildings within it
- i.e. MOST THINGS!
- But there are some matters that may not require a faculty under the new Faculty Rules 2015 – see the next section
- see also DAC Guidance leaflets and consult the DAC Secretary or Archdeacon if in doubt

3. WHAT MIGHT NOT REQUIRE A FACULTY?

- As of 1 January 2016 there are two national lists, known as **List A** and **List B**, setting out matters that do not require a faculty.
- Those on **List A** do not require any approval provided they meet the criteria and any conditions are complied with.
- Those on **List B** require the Archdeacon's notice in writing after consultation with a DAC expert. The Archdeacon may apply conditions to be met.
- The lists can be found here:
<http://www.churchcare.co.uk/churches/faculty-rules-2015>
- If you are in doubt about how these rules apply, or need advice about them, contact your Archdeacon or the DAC Secretary.

4. WHO APPLIES?

- Minister and Churchwardens
- Others can apply (e.g. churchwardens alone in a vacancy)
- A PCC resolution will be needed

5. EXAMPLES FROM THE PARISH FACULTY FILE

- Work to Church Organ
- Replacement of lead flashing stolen from church roof
- Sale of surplus credence table
- Works to repair and renovate clock on tower

- Placing sign over office at smaller church to enhance visibility
- Temporary re-ordering internally (Archdeacon's Licence)
- Installation of loop system [Probably now List B]
- Replacement of damaged stained glass
- Permanent use of Church Worship area by another church community

6. HOW TO GET A FACULTY

- **Now via the online system:** <https://facultyonline.churchofengland.org/home>
- Parish has to be registered; more than one user allowed
- Applicant decides whether the proposals come under List A, List B or full faculty
- Documents etc can be uploaded
- Applications progress through the stages automatically

The stages are:

- a. Is this a List A item?** If so, a notification can be printed and kept in the faculty file or log book. If not, then.....
- b. Is this a List B item? If so,** it will be forwarded to the Archdeacon to consider. If not, then.....
- c. You will need a faculty,** and your application will pass through these stages:
- d. Request for formal advice from the DAC**
 - [N.B. Pre-application for preliminary guidance]
 - Applications need, for example
 - specialist reports, inc. architect
 - clear plans (incl. floor/site plan), drawings, specification, photos
 - Listed/Conservation area: Statements of Need + Significance
 - Correspondence (e.g. with EH, Amenity Societies)
 - PCC resolution
- e. Next stages**
 - The DAC considers the application and issues a notification of advice – **THIS IS NOT A FACULTY** and you cannot yet proceed
 - You are sent forms for the Petition and the Public Notice
 - Public notice has to be displayed for 28 days
 - Petition, Public Notice and all documents are uploaded and sent to the Registrar
 - The Chancellor decides the matter
 - You are sent the faculty through the system and can start work when you have it
- f. If there are objections etc.**
 - Chancellor deals with it, either by
 - written evidence,
 - or, Consistory Court hearing
 - Chancellor makes a decision and issues a written judgment
 - Costs usually to be paid by PCC
 - Hearing sometimes held when a faculty hasn't been obtained

7. AND AFTERWARDS...

- Keep the faculty and supporting documents filed in the safe

- Send Certificate of Completion to the Registry and Archdeacon
- Make the necessary entries in
 - the Church Log Book
 - the Inventory

8. URGENT OR EMERGENCY WORK

- In emergency: take action for immediate safeguard and contact Insurers, Architect, Archdeacon
- In other urgent cases: contact Archdeacon for advice
- Archdeacon may contact Chancellor on your behalf to arrange his permission for work to be done immediately, with a retrospective faculty application.