

Churchwarden 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 an 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), including the churchyard and buildings within it - i.e. most things!
- some matters that may not require a faculty under the 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?

- 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:
<https://www.legislation.gov.uk/ukxi/2015/1568/schedule/1/made>
- If you are in doubt about how these rules apply, or need advice about them, contact the DAC Secretary or your Archdeacon.

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
- Replacement of damaged stained glass
- Permanent use of Church Worship area by another church community

6. How to get a faculty

- 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
- Support documents and images 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 need, for example:
 - specialist reports, including architect input
 - clear plans (including floor/site plan), drawings, specification, photos
 - listed/conservation area: Statements of Need + Significance
 - correspondence (e.g. with EH, Amenity Societies)
 - PCC resolution
- d) Requests for formal advice** from the DAC can be made pre-application for preliminary guidance. Request a site visit.
- e) Next Stages**
 - The DAC considers the application and issues a notification of advice – this is **not a faculty**, and you cannot yet proceed.
 - Complete the forms for the Petition and the Public Notice.
 - Public notice has to be displayed for 28 days.
 - Public Notice is uploaded and sent to the Registrar, and must be updated on the system
 - The Chancellor decides the matter
 - You are sent the faculty through the system and can start work when you receive it.

f) If there are objections etc.

- The Chancellor deals with it, either by
 - written evidence,
 - or, Consistory Court hearing
- The Chancellor makes a decision and issues a written judgment
- Costs are usually paid by PCC
- A hearing is sometimes held when a faculty hasn't been obtained.

7. Afterwards

- Keep the faculty and supporting documents filed in the safe
- Send Certificate of Completion to the Registry
- Make the necessary entries in
 - the Church Log Book
 - the Inventory.

8. Urgent or emergency work

- In an emergency: take action for immediate safeguard and contact Insurers, Architect, Archdeacon.
- In other urgent cases: contact Archdeacon for advice.
- The Archdeacon may contact the Chancellor on your behalf to arrange permission for work to be done immediately.
- A retrospective faculty application would then need to be completed.