

Revision of the Oxford Diocesan Scheme for QI Inspections – Explanatory Paper



Context

The Quinquennial Inspection of each and every church by a qualified inspector is a legal requirement as set out by the Ecclesiastical Jurisdiction and Care of Churches Measure 2018. These inspections identify the need for repairs to the fabric that, if not attended to, can incur heavy costs at a later date and lead to the decay of significant historic fabric. The inspection is also crucial to ensure the safety of the building and to check whether relevant inspections, such as electrical tests, are up to date.

The statutory provision remains that:

- Diocesan Synods are responsible for establishing Diocesan Schemes for the quinquennial inspection of churches in the diocese.
- The Diocesan Scheme must contain provision as to the appointment of inspecting architects or surveyors and their producing reports, and the sending of reports to the Archdeacon, PCC, Incumbent or Priest in Charge and DAC Secretary (known as Senior Church Buildings Officer within the Oxford diocese).

The Diocese of Oxford, at its Synod on 20 November 1993, resolved to establish a scheme to involve Deanery Synods with these responsibilities through the introduction of deanery inspection committees. This scheme was superseded in February 2016 when Diocesan Synod resolved to introduce a new diocesan scheme to abolish deanery inspection committees except from those which were working effectively.

Each of these schemes relied upon a diocesan list of inspectors, approved by the DAC, from which the appointment of Quinquennial Inspector must be made.

Issues

The survey and conservation of historic buildings requires specialist knowledge and understanding of traditional materials, architectural history, conservation philosophy and appropriate repair techniques. This knowledge is usually gained through specialist study and years of working with an experienced mentor on large and small projects involving historic buildings. Much as a professional practitioner is identified as qualified in their professional industry as an architect or surveyor, it is now common for individuals to obtain additional accreditations to demonstrate their proven ability in a specialist area of design or surveying.

In the heritage sector there are a number of accreditation schemes identifying professionals who have demonstrated specialist conservation expertise. These schemes are monitored by Historic England and most use the International Council on Monuments and Sites' (ICOMOS) Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites as the basis for their assessment of candidate's experience.

The Oxford 'approved' list of inspectors currently includes 61 inspectors, of which 41 are understood to be conservation accredited. We have recently requested updated contact and qualification information from all on the list.

The current process for addition to the 'approved' list is by way of a two page form completed by the prospective Inspector, and reviewed by the DAC secretariat. Although examples of experience and work are requested this lacks rigour and is not capable of ensuring the Inspector has the relevant skills to carry out the inspections. The DAC secretariat does not have the time, or expertise, to review these applications or interview prospective Inspectors to further enquire of their experience or knowledge.

Historic England recognises conservation accreditation schemes which evaluate the experience of applicants in line with ICOMOS guidelines carry out this assessment to a very high standard, requiring substantial evidentiary

support for all applications. In addition to this rigorous evaluation of experience the accreditation schemes require a number of hours of Continual Professional Development (CPD) to be undertaken and reported in order to maintain accreditation. The diocesan list makes no CPD requirement and could not resource enforcing it if it did.

There are also no criteria for acceptance onto the diocesan 'approved' list and the process therefore lacks transparency.

The Church Buildings Council (CBC) has recently received several legal challenges to the concept of 'approved lists' with organisations criticising this system as a restriction of trade with a lack of transparency.

The quality of the information provided within the Quinquennial Inspection reports is very poor from some Inspectors currently on the 'approved' list. This comprehensive review of the diocesan scheme offers the opportunity for the diocese to remind all Inspectors of the level of information which should be provided within the report, and to remind PCCs of what they should expect from their Inspector.

Should an Inspector prove incapable of providing professional advice of a suitable quality to a PCC it is very difficult for the diocese to remove them from the 'approved' list due to concerns of legal action against the diocese by the Inspector. PCCs are therefore left with an 'approved' list from the diocese, which the diocese knows to contain inspectors who have not demonstrated the required skills to provide the appropriate service to the PCC and church building. The 'approval' of an Inspector by the diocese, leads to responsibility for their work being placed with the diocese in the eyes of the parishes.

Recommendation

A working party was set up to consider these issues and identify how to resolve them. The members of this working party were:

Mr Bryan Martin – AABC conservation accredited architect and member of the DAC
Canon Adrian Daffern – Chair of the DAC (now left the diocese)
Ven Judy French – Archdeacon of Dorchester and member of the DAC
Mr Darren Oliver – Diocesan Registrar
Ms Christine Fenn – Historic Churches Support Officer
Mrs Liz Kitch – Senior Church Buildings Officer

The Ecclesiastical Jurisdiction and Care of Churches Measure 2018 section 45.3.c states that the diocesan synod's scheme "may contain such other provisions not inconsistent with the Measure as the diocesan synod shall think fit". In light of this the working party considered that the 'approved' list of diocesan inspectors should be abandoned and that in order to undertake a quinquennial inspection on building which dates from before 1900 within the diocese of Oxford all Inspectors are expected to be conservation accredited by any scheme recognised by Historic England. The DAC are to advise the PCC on each appointment and will hold a list of Inspectors working within the diocese. The proposed new scheme is appended to this paper and is drafted using the model scheme produced by the CBC.

The proposed new diocesan scheme also allows for two amendments to the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 which were supported at the General Synod in July 2018. This identifies that inspectors do not have to be either an architect or building surveyor, but may be qualified within any other specialism as recognised by an accrediting body, such as the Chartered Institute of Architectural Technologists. The second amendment supported by General Synod is the change of emphasis on DAC's to advise upon, rather than approve of, each appointment.

This proposed scheme will ensure transparency, Inspectors of appropriate experience, and also reduce the workload of the DAC team as well as remove any possible liability from the diocese regarding quality of inspection or restriction of trade.

It is becoming increasingly common for funding bodies to require oversight of a project by a conservation accredited professional, so those parishes undertaking a project who do not use a conservation accredited Inspector cannot appoint this Inspector for the project work in these instances. The new diocesan scheme would ensure that the PCC of each historic building could use their Inspector for project work should they wish to.

Any PCC which has already instructed an Inspection prior to the adoption of this scheme on 1st April 2019 may continue with that appointment, and the requirements of the new scheme are actionable on any future appointments made after the 1st April 2019. An interim measure has been included within the scheme for PCCs who currently instruct an Inspector who is not conservation accredited by a Historic England recognised scheme.

The three existing schemes of conservation accreditation are run by the Royal Institute of British Architects (RIBA), the Royal Institute of Chartered Surveyors (RICS) and the Register of Architects Accredited in Building Conservation (AABC). Each register can be searched on the website of the organisation and currently the published registers identify 87 accredited professionals registered in Buckinghamshire, Berkshire and Oxfordshire.

The Church Buildings Council and Diocesan Registry have been consulted regarding this proposal and are supportive. The DAC supported the proposal, and new Diocesan Scheme, at its meeting of the 12th March 2018 and Bishop's Council approved the scheme at its meeting of the 5th December 2018.

Consideration of the Diocesan Scheme for Quinquennial Inspections is taking place within the context of an overarching review of management of the QI process and data within the DAC and the Oxford diocese. Work has been taking place to ensure the DAC holds the most recent report of all 815 churches, as well as the ability to generate reports on which churches are due inspections in a given year, to get a picture of which deaneries run inspection committees and most importantly, how parishes are supported following the findings of the report and in the day to day building management requirements such as fire risk assessments, electrical inspections and asbestos surveys.

Should the proposed changes be adopted by Diocesan Synod the DAC will write to all PCCs and Inspectors on the current approved list, and will also be publishing additional guidance and documents relating to these changes including:

- An explanatory note to all PCCs and Inspectors on what has been agreed and the practical impacts this will have.
- A draft letter of Inspector appointment for the PCCs.
- A guidance note for parishes on what to look for when appointing an inspector, how to arrange the inspection, what the report should include and what to do if the report does not include what is required. This will also speak of the building as a resource for mission and how the diocese can help the PCC in keeping the building in order. It is hoped this may include an introduction by the Bishop of Oxford and although based on the guidance produced by the CBC, will be tailored to the Oxford diocese and put into more accessible language.
- A form with which PCCs can apply to the DAC for advice on their appointment.
- The criteria published by the CBC against which DACs will provide advice to PCCs on proposed appointments.

Approval

Diocesan Synod is asked to abandon the scheme established in 1993 and amended in 2016 and to adopt the scheme attached to this paper.

The 1993 scheme is available online [here](#)

The 2016 scheme amendment is available online [here](#)

Liz Kitch, Senior Church Buildings Officer
February 2019



INTRODUCTION

Under the provisions of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 - referred to hereafter as “the Measure” - all parish churches in the Diocese, all other consecrated churches and chapels including licenced places of worship opted in under the Care of Places of Worship Measure 1999, and buildings licensed for public worship, must be inspected at least once in any five-year period. The Diocesan Scheme which follows should be studied carefully with the relevant guidance documents from the Church Buildings Council (“the CBC”) and Diocesan Advisory Committee for the Care of Churches (DAC).

THE DIOCESAN SCHEME

1 This Scheme was established by the Diocesan Synod by a resolution of xx xxxxxxxx 20xx and it supersedes all previous Schemes. It comes into operation on 1st April 2019.

2 The Scheme shall be administered through the Diocesan Advisory Committee (the DAC). All correspondence concerning matters dealt with under the Scheme should be addressed to the DAC Secretary.

3 Nothing in this Scheme affects the legal responsibility of every PCC for the proper care of each church under its authority, and its duty to apply for a Faculty or for permission under Schedule 1 of the Faculty Jurisdiction Rules (2015) before any work is commissioned.

4 All parish churches in the Diocese, as well as all other consecrated churches and chapels and buildings licensed for public worship that are required to be inspected under The Measure, shall be inspected at least once in any five-year period (“the Quinquennial Inspection”) under this Scheme. For the avoidance of doubt, where a Quinquennial Inspection has taken place under a previous Diocesan Scheme the five-year period shall commence from the date of that previous report.

The scope and contents of the report

5 The Quinquennial Inspection shall be completed in accordance with the current guidance of the CBC and any current interpretations of this guidance published by the Oxford DAC. The DAC recommends that this template is used although reports submitted in a similar digital format which is compliant with the Scheme and the accompanying CBC guidance will be accepted.

6 All reports must include a plan of the church, general context photographs of the building internally and externally, and photographs of defects identified. All areas of the building must be inspected. In some instances this may necessitate provision of access equipment, such as ladders, scaffolding or a cherry picker.

7 The structure and content of the Quinquennial Inspection Report shall follow the recommendations set out in any CBC guidance and any directions which the DAC makes from time to time.

8 The report will include confirmation of whether or not up to date gas and electrical test certificates have been obtained.

9 The report shall summarise the works needed in the following categories:

- 1 - Urgent, requiring immediate attention
- 2 - Requires attention within 12 months
- 3 - Requires attention within the next 12 – 24 months

- 4 - Requires attention within the quinquennial period
- 5 - A desirable improvement with no timescale (as agreed with the PCC)

10 Any routine items of maintenance (including repairs) within these timescales may fall under Schedule 1 of the Faculty Jurisdiction Rules (2015), i.e. under List A or B. All other matters will require faculty permission. The Inspector is not expected to make an indication of the permission type.

Appointing and reviewing the Inspector

11 Advice on appointing a new Inspector can be found in the CBC Guidance and any current interpretations of this guidance published by the Oxford DAC. The DAC team holds a register of Inspectors appointed to each church in the diocese. The DAC does not hold a list of Inspectors from which the PCC must select a professional.

12 The Inspector should be an ARB registered architect or chartered building surveyor or any other professional regulatory body as identified appropriate by future meetings of the General Synod. If the church building dates from before 1900 the Inspector must hold conservation accreditation under a scheme recognised by Historic England. The register of suitably qualified Inspectors can be found at the website of each accrediting body. The DAC Secretary will also hold a list of the Inspectors appointed to each church in the diocese. All proposed appointments must be reported to a subcommittee of the DAC (via the DAC Secretary), who will provide the PCC with advice on the appointment in line with criteria published by the CBC. The advice of the DAC is required for each and every appointment to every church. The appointment of Quinquennial Inspector is a personal appointment, even if made through their employing firm. As such, only the appointed Inspector may undertake the inspection and produce the subsequent report.

13 Where an Inspector is identified on the diocesan approved list which is abolished by this Scheme, but is not conservation accredited by any of the recognised schemes but is currently undertaking inspections on churches which date from before 1900 the following interim measure is in place. Should the Inspector intend to apply for conservation accreditation the Inspector may notify the DAC of this intention and will have 5 years from the date of the adoption of this Scheme to obtain accreditation. Should the Inspector be due to retire within 10 years of the date of adoption of this Scheme then it is accepted that they may not wish to obtain conservation accreditation and this requirement is alleviated. If the Inspector has no intention to apply for conservation accreditation and is not due to retire within 10 years, then under this Scheme the Inspector will no longer be eligible to undertake inspections on buildings dating from before 1900 and the PCC will have to appoint a new Inspector.

14 Any inspections which have already been instructed prior to the adoption of this Scheme, but which are yet to be undertaken, will not be affected by the requirements of this Scheme. All inspections instructed following the date of enforcement of this Scheme, 1st April 2019, must meet the requirements of the Scheme.

15 Parishes should consult the Area Dean to establish whether a deanery inspection committee or scheme is in operation within the deanery. Required by the 1993 diocesan Scheme, this requirement was removed in February 2016 by Diocesan Synod but some deaneries continue an inspection committee or scheme. A deanery inspection committee or scheme may make provision for funding or organising the inspection and report and in a deanery where one exists all parishes are encouraged to take part in this.

16 Parishes are strongly encouraged to periodically review the appointment of their Quinquennial Inspector in a competitive tendering process, and the most appropriate time would be when the next inspection is due. Reviewing the appointment does not imply that the PCC must change their Inspector, but offers the opportunity to reflect on whether the PCC is receiving good quality service and best value, and has a good relationship with the Inspector.

17 Many parishes find that there is advantage in renewing an appointment, as an ongoing relationship with an experienced Inspector who fully understands the building and its ongoing needs, and has a good relationship with the PCC and Churchwardens, is invaluable.

Appointing for project work recommended in the report

18 It is for the PCC to decide who to commission to undertake any project work identified in the report, for which a separate agreement would be needed. If the PCC wishes to carry out any publicly funded works which require tendering (over £10,000) under the supervision of the Inspector it will need to be able to demonstrate that the Inspector was appointed or re-appointed (see 12 above) within the last 5 years through a competitive tendering process. The PCC should also ensure that the qualification requirements of any project professionals is met as required by possible grant giving bodies.

Duties and responsibilities of the PCC, Inspector, DAC and Archdeacon

19 All Quinquennial Inspectors shall be responsible for entering into and maintaining adequate and appropriate Professional Indemnity Insurance cover, and shall provide written evidence thereof to the PCC and DAC.

20 A person who is appointed as a Quinquennial Inspector shall enter into an agreement with the PCC of the church (or body acting on their behalf) which they are to inspect. The DAC Secretary can provide advice if requested. A template appointment letter for use by the PCC is available from the DAC.

21 Fees for the preparation and completion of the report should be agreed between the PCC and the Inspector in advance, before any work is commissioned. This should include any exceptional costs, such as the need to arrange access to otherwise inaccessible parts of the building.

22 Within three months of making the inspection, the Quinquennial Inspector shall send copies of the report in digital format to the relevant Archdeacon, the PCC, the Incumbent or Priest in Charge, and to the DAC Secretary. The report will be uploaded to the Church Heritage Record, if it has not been compiled on the template there, by the DAC secretariat.

23 Under the Measure, the DAC Secretary is responsible for keeping a register of those buildings which are covered by the Scheme, containing details of the current Quinquennial Inspector and dates of inspection. The PCC Secretary shall inform the DAC Secretary of the date of the inspection. If the PCC finds it difficult to agree a date with the Quinquennial Inspector they should consult the DAC Secretary who will offer support.

24 Nothing in this Scheme shall affect the powers of an Archdeacon to ensure the inspection of every church in their archdeaconry once in five years, as laid down in The Measure.

25 In order to provide for the cost of inspections and therein recommended works, every PCC should budget for the report and fabric repairs. They should not, however, use the report as a specification for such works.

Interpretation and Amendment of the Scheme

26 Any questions which arise concerning the interpretation of this Scheme shall be referred to the Registrar, whose decision shall be binding.

27 This Scheme shall be subject to amendment only by means of a formal motion, presented after due notice to the Diocesan Synod, and approved by it.

