Employing professional advisors for quinquennial inspections and other matters



GUIDANCE SHEET 5

As a PCC, it is important for you to have a good working relationship with your appointed quinquennial advisor as well as with any other professionals or contractors you choose to employ. This relationship should be based on a clear understanding of what each side is responsible for, and this guidance sheet is intended to help you understand these responsibilities and potentially help you to manage relationships better.

SECTION I: QUINQUENNIAL INSPECTORS

The Inspection of Churches Measure 1955, as amended by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 and the Church of England (Miscellaneous Provisions) Measure 2019, states that each consecrated building must be inspected every five years by a person appointed by the PCC. The previous requirement for the appointed person to be 'approved' and feature on a list maintained by the Diocesan Advisory Committee (DAC), has now been removed, but PCCs are required to seek the advice of the DAC before making a new appointment, and to ensure that the appointed person has relevant skills and experience. In the Diocese of Gloucester quinquennial inspections (QIs) are paid for by the PCC, according to fees set by the diocese. In addition to the inspection, many of these professional advisors offer general advice to PCCs about their buildings, preparing specifications for repairs or overseeing more major works. Please see section 2 of this document for advice in relation to this.

HOW TO FIND A NEW QUINQUENNIAL INSPECTOR

Ask others in your benefice or deanery if they have any suggestions, or you might find it helpful to consult any of the following resources:

- Architects Accredited in Building Conservation (AABC) Register: www.aabc-register.co.uk/register
- Royal Institute of British Architects (RIBA) Conservation Register:
 www.architecture.com/knowledge-and-resources/resources-landing-page/find-a-conservation-architect
- Register of RICS Certified Historic Building Professionals: www.rics.org/globalassets/rics-website/media/qualify/accreditations/register-of-rics-certified-historic-building-professionals.pdf

SECTION I: QUINQUENNIAL INSPECTORS CONTINUED

WHO CAN CARRY OUT QUINQUENNIAL INSPECTIONS

Professionals who <u>have</u> previously undertaken Qls of churches:

If you want to appoint someone who has previously undertaken a QI of a church, and you have seen a sample copy of their reports and are happy, the PCC then needs to contact the DAC with details of the proposed appointment, including details of which church(es) the proposed person has previously inspected and in which diocese. We will then offer our advice in order for you to consider this before making the appointment.

Professionals who <u>have not</u> previously undertaken Qls of churches:

If you want to appoint someone who has not previously undertaken quinquennial inspections for churches before, PCC members will need to satisfy themselves that the person has the necessary skills and experience in order to advise you properly. To help you do this, we have compiled a template application form, which you may wish to use when approaching people. This can be downloaded from our website. Once you have identified someone you would like to appoint, the PCC needs to contact the DAC, in order to obtain advice on the candidate's suitability. This must be done prior an appointment being made and you can do this simply by emailing or writing to us, informing us briefly who the proposed inspector is, and a copy of their successful submission to you. We will then review the information and offer our advice. It is vitally important that you obtain the DACs advice prior to appointment, to ensure that any QI report they produce is admissible.

Professionals with personal connections to the PCC/parish:

It may be that the PCC would like to appoint someone who is already known to the parish. Members of a PCC and churchwardens are barred from appointment as a quinquennial inspector to their own church in any case. But as a general rule, we would not encourage PCCs to appoint someone who has a personal connection with the parish. Conflicts of interest can sometimes occur, and even where there is no direct conflict, the relationship may cause difficulty or embarrassment to the PCC, if things do not work out as planned. This may be particularly the case if the professional is doing the work for free or for a reduced fee, perhaps as a form of Christian stewardship. If you nevertheless decide to appoint someone with close links to the church, then you should at least ensure that as usual the scope and terms of the appointment are clearly set out in writing and that the work is covered by normal Professional Indemnity Insurance.

SECTION I: QUINQUENNIAL INSPECTORS CONTINUED

WHAT TO CONSIDER WHEN CHOOSING A QUINQUENNIAL INSPECTOR

This list is not exhaustive but is intended as guidance for PCCs looking to appoint someone new.

1. Qualifications and experience

It is important that your quinquennial inspector has sufficient qualifications, and experience of buildings similar to yours. Particularly if your church is listed, it is important that your appointed person has experience of working with comparable listed buildings though these do not need to necessarily be churches. Experience of working with other churches is an advantage but not essential.

2. Costs

The fees for quinquennial inspections are set annually by the diocese, but your appointed inspector will be entitled to charge your PCC separately for "extras", such as travelling expenses, photography, copying etc. This should be clarified from the outset so you do not get any unexpected bills. In addition, it is also worthwhile clarifying what the architect/ surveyor's general fee structure is for additional work, and clarifying what their policy would be about informal advice. Some inspectors will offer a certain degree of general advice for free, but would they charge to attend a site visit, offer you a sketch plan, or comment on a specialist report? Clarifying this upfront is important.

3. Personality and enthusiasm

It is really important that you feel comfortable working with your quinquennial inspector, and that you feel that they are sympathetic to the needs of your PCC and wider congregation. Inviting potential new inspectors to your church and to meet members of the PCC is a really good way of establishing a good working relationship,

and will help you assess whether they suit your style of working.

4. Access requirements

Check that your proposed inspector is happy to use the types of ladders and equipment which are normally used in your church. Every church is different and access arrangements vary hugely.

5. Other work

If you are considering using your quinquennial inspector for work in addition to the quinquennial report, and you are likely to need grant assistance from the National Lottery Heritage Fund (formerly the HLF), your appointed person will need to hold membership of the AABC (Architect Accredited in Building Conservation), RIBA Conservation Register or the RICS (Royal Institute of Chartered Surveyors) conservation accreditation scheme.

6. Insurance

Do check the value of the your inspector's Professional Indemnity Insurance (bearing in mind that £250,000 for each claim is a suitable minimum), and check for any history of past claims.

7. Location

It might seem sensible to choose someone who lives/works closest to your church, but most quinquennial inspectors travel widely so proximity should not be a primary consideration.

SECTION I: QUINQUENNIAL INSPECTORS CONTINUED

PROCESS FOR SELECTING A NEW QUINQUENNIAL INSPECTOR

The following is a suggested procedure:

- Appoint a small group who will be responsible for researching this and who will finally report back to your PCC with a recommendation. It is probably worthwhile including at least one churchwarden as they are likely to liaise with the inspector most often.
- The small group should identify a shortlist of perhaps three/ four candidates using the suggested resources on page 1.
- Prospective candidates should then be contacted and asked whether they would like to be considered. You may choose to use the template application form available for download from our website, or alternatively ask for details of their experience along the lines of the points raised on page 3.
- On the basis of the responses received, the group could then either invite the preferred candidate to your church for a discussion, or visit them at their offices. In either case the group should try to get a feel for the type of work the potential inspector normally undertakes, and be satisfied that you're comfortable with their approach.
- The small group should the contact the DAC for their advice on the proposed candidate, before reporting back to the PCC who make the final decision.

N.B Please remember that if you are in the position of replacing another quinquennial inspector for whatever reason, it is important that you give them written notice, and ensure your account with them is fully paid up at the point your contract with them ceases.

WHAT THE QUINQUENNIAL REPORT SHOULD CONTAIN

This is explained in detail in the Scheme for the Quinquennial Inspection of Churches 2019, a copy of which can be obtained from the DAC Secretary or downloaded from our website. The supplementary document Guidance Sheet 6: Quinquennial Inspections: Process and Content, explains how to carry out the inspection and write the report, and a copy of this has been sent to all those inspectors who currently work for churches in this diocese. This document can also be obtained from the DAC Secretary or downloaded from our website.

SECTION 2: ARCHITECTS AND SURVEYORS GENERALLY

EMPLOYING YOUR QI FOR WORK IN ADDITION TO THE INSPECTION

Almost all PCCs choose to employ quinquennial inspectors for work in addition to the five yearly inspection report. This additional work might include specifying repairs, planning re-ordering, writing reports or designing and managing a new development project. If your PCC decides to employ your QI advisor for this kind of additional work, you should negotiate this with them directly.

EMPLOYING AN ARCHITECT / SURVEYOR OTHER THAN YOUR QI

For work in addition to your QI report, PCCs are entitled to employ any architect or surveyor of your choosing. If the quinquennial inspector is not to be employed for a particular project, out of courtesy, the PCC should still inform him/her of its proposals, particularly if it intends to re-employ their services in future.

The most likely scenario in which a different architect/surveyor from your quinquennial one would be employed, is where a PCC is planning a major new development project requiring significant and original design input. It may be that your QI advisor is capable of advising you on this as well, but if you choose to employ someone else both your PCC and the DAC will need to be satisfied that your chosen professional is suitable for the work you intend to do.

You might want to use the 7 headings suggested earlier on in this document to help select an architect/surveyor, or alternatively the RIBA (Royal Institute of British Architects)
Nominations Service and the RICS 'Find a Surveyor' service match clients to suitable architectural practices and chartered surveyors respectively.

INSTRUCTING AND COMMUNICATING WITH YOUR ARCHITECT / SURVEYOR

When dealing with any architect or surveyor, whether or not they undertake your QI, the nature and extent of each item of work should always be agreed in advance and in writing. Architects/ surveyors should be fully briefed and work to clearly defined and agreed schedules of work, with all instructions being agreed by your full PCC, unless they relate to matters which have been delegated to a fabric sub-committee. With complex projects it is worthwhile designating a single point of contact between the PCC and your architect/surveyor in order to avoid potentially conflicting instructions. In addition, agreeing a procedure for dealing with urgent or unforeseen works is also worthwhile to ensure complex projects do not grind to a halt when minor changes need to be made.

SECTION 2: ARCHITECTS AND SURVEYORS GENERALLY

FEES

The most important thing to remember is that fees should be agreed in advance and in writing. Many architects/surveyors will have a written fee structure explaining their policy on the provision of informal advice and the extent to which they will be prepared to provide this without charging a fee. It is sensible (and not in any way inappropriate) to clarify this at an early stage. For small stand-alone projects, a simple agreement via an exchange of letters may suffice. Fees may be calculated on the basis of a percentage of the cost of the works (most usual), or on a time and expenses basis, or on a lump sum basis, the latter being suitable for feasibility studies. For larger projects, published forms of agreement, called RIBA Agreements 2010 are available from the RIBA. Please note that a "fixed price" contract does not necessarily mean there will be no increases in costs. Variations may occur in relation to unexpected additional works, and such increases will be reflected in the architect's fees.

HANDOVER BETWEEN ARCHITECTS / SURVEYORS DURING A PROJECT

This is very rare, but if you do decide to employ a new architect or surveyor part-way through a project they must obtain their predecessor's written agreement and make any necessary licence agreements before using any feasibility studies, pre-development reports, drawings or other materials produced by the first architect/surveyor in the course of their work on your church. Contact the RIBA or RICS for further information about the correct procedure for doing this.

WHAT HAPPENS IF SOMETHING GOES WRONG?

Experience shows that it is usually better to try and maintain a long term arrangement with an architect/surveyor, rather than to change frequently. This avoids the risk of costly changes in repair philosophy and leads to a better understanding and commitment to your congregation and building. Professionals are more likely to undertake small unprofitable works if they think they may be involved in future larger scale projects. Many architects/surveyors become very committed to the buildings they look after, and it is much better to do everything you can to resolve any problems before considering terminating a professional relationship. If you have any queries about the professional standards which architects and surveyors work to, please contact RIBA or RICS respectively for further details.

SECTION 3: SPECIALIST CONSULTANTS AND OTHER PROFESSIONALS

It is likely that at some stage your PCC will need to employ specialist building professionals other than architects or surveyors. Lighting designers, heating engineers and specialist conservators for example, may be needed to offer particular expert advice. In larger more complex schemes it may be necessary to have your architect/ surveyor overseeing and coordinating these trades, particularly where the work may have wider implications for the building as a whole. Underfloor heating is a good example where its installation can have an impact on floor level, doors and ramps, as well as affecting the building fabric and requiring new pipes and boilers to be sensitively located.

However, in some instances, it may be simpler and cheaper for your PCC to deal directly with the specialist or contractor. Every contractor or professional is different in this respect and some will feel much more comfortable working independent of an architect/surveyor than others. For example, if you find a very good lime craftsman who is proposing to do some localised re-pointing for you, he or she might be perfectly capable of specifying the correct lime and aggregate to use for the repair. Others might feel more confident taking their direction from your architect/surveyor. If you are not sure whether to involve an architect/ surveyor, please contact the DAC Secretary for further advice.

Whether or not you choose to involve an architect/surveyor alongside specialist consultants and contractors, it is always important to check that your chosen professional has the appropriate skills and experience.

Any professional should be willing to provide references of previous customers and projects so that you can satisfy yourselves that they are suitable. Visiting examples of their work as well as speaking to people can give you a much more confidence in their work, than a simple written statement or set of photographs.

As with architects and surveyors, prior to any works commencing, it is important that you gain written confirmation of what work they intend to do for you, and that fees are also agreed up front. Ideally you should seek several quotes to ensure the PCC is receiving good value for money, and if you need help identifying specialists or contractors for a particular job please contact the DAC Secretary for further advice. Though the DAC are unable to recommend individuals, we maintain lists of potential contacts for some specialised areas of work and these can be sent to you to for your PCC to investigate further. It is worth noting that if your church is listed, you can reclaim VAT on some professional fees via the Listed Places of Worship Grant Scheme. Do check with them for eligibility.

SECTION 4: GRANTS AND PROCUREMENT

Under current legislation, if more than 50% of your project costs (even if these are divided into stages over several years) are intended to be met by public funds (National Lottery Heritage Fund, Listed Places of Worship Grant Scheme and other public grant schemes), you will need to seek tenders for services by any architect or surveyor. Dependent upon the projected cost of professional services, the requirements are different:

FOR PROFESSIONAL SERVICES COSTING UP TO £10,000

You do not have to tender for professional services, but it is nevertheless good practice to be able to demonstrate good value for money.

FROM £10,000-£50,000

You will need to tender for professional services and provide evidence that it has taken place. You should aim to get at least three competitive quotes, and accept the one which demonstrates the best value for money.

FROM £50,000-£150,000

You will need to tender for professional services and provide evidence of competitive tendering procedures and advertising for services. Invitations to tender can be placed in newspapers or on the internet and the Church of England website has a specific section which enables churches to do this easily. Your evidence should be a report on the tenders received, as well as your decision on which to accept and why.

£150,000 UPWARDS

You will need to tender as outlined in the £50,000-£150,000 section following current legislation.

There are a few circumstances where the normal competitive tender process is neither suitable nor possible. If this is the case, you should speak to your grants caseworker at the National Lottery Heritage Fund and agree this in writing, before you award a contract to any particular professional.

Please be aware that cost is not the only factor which can be taken into account when selecting your successful bid from the tenders you receive. It is appropriate to also consider the architect/ surveyors experience, knowledge of your church, quality of service and familiarity with the type of work proposed. The important thing is to ensure your decision making is transparent, so that others can clearly see that a particular architect/surveyor was chosen fairly.

Regular updates on procurement are posted on the Church of England website at: www.churchofengland.org/more/churchresources/churchcare/advice-and-guidance-church-buildings/procurement and on the Historic England website at: https://historicengland.org.uk/services-skills/grants/procurement-regulations/s

SECTION 5: FURTHER INFORMATION

The Royal Institute of British Architects (RIBA)

www.architecture.com info@riba.org 020 7580 5533

Royal Institution of Chartered Surveyors (RICS)

www.rics.org contactrics@rics.org 024 7686 8555

Church of England - Church Buildings Council

www.churchofengland.org.uk
General Matters relating to Quinquennial
Inspections and employing professionals can be
found at:

www.churchofengland.org/more/churchresources/churchcare/advice-and-guidancechurch-buildings/quinquennial-inspections

Procurement matters

https://historicengland.org.uk/services-skills/grants/procurement-regulations/

www.churchofengland.org/more/churchresources/churchcare/advice-and-guidancechurch-buildings/procurement

Historic England

Historic England South-West Office (covering Glos, Bristol and Wilts) 29 Queen Square Bristol BSI 4ND www.historicengland.org.uk southwest@historicengland.org.uk 0117 975 0700

Historic England West Midlands Office (covering Heref, Worcs, Warwks) The Axis I O Holliday Street Birmingham BI ITG 0121 625 6820 www.historicengland.org.uk westmidlands@historicengland.org.uk

If you need any help or support with employing architects, surveyors or other professional advisors, please contact us at Church House on 01452 410022 or by email at dac@glosdioc.org.uk