

Falkirk Presbytery.



Handbook for Property Convenors.



Version 1 (updated 2010)

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Introduction.

This handbook has been produced to support congregational property convenors as they carry out this vital role in the life of the church. The handbook explains the procedures so congregational property convenors are familiar with the systems followed by the church.

We hope that this guide helps congregations to understand and fulfil their responsibilities and also to know what help is available. Some general information and guidance has been included to assist churches put their repairs and maintenance work onto a more pro-active and planned basis.

The handbook is divided into 4 main chapters and within each are sub-sections that deal with individual issues. It is hoped that this will allow you to find the information you are looking for quickly.

Any questions or queries should be directed to the Presbytery Property Committee.

Chapter 1- The procedures and rules of the church.

This chapter holds information about the procedures of the church in dealing with the maintenance and upkeep of its buildings and seeks to explain these so that you are fully aware of how the “system” works both at a local and a national level.

All churches within the Church of Scotland come under the laws and rules of the church as made by the General Assembly. The Assembly is made up from representatives of the churches in the land and your church will have been and will be regularly represented and so in a way every church contributes to make the rules.

The purpose of the laws and rules of the church is to make sure that every church is treated in the same and also that every church is fully aware of its responsibilities. For our purposes we will only be looking at those matters which deal with property management and maintenance.

What are your responsibilities?

The General Assembly of the Church of Scotland, as the governing body of the church, sets down in the law of the church the responsibilities of Presbyteries and Congregations with respect to work at buildings. At the time of writing this handbook the relevant Act is IX 1979 (amended). However, Acts are amended from time to time by the General Assembly. The Act presently sets out a series of checks and balances to ensure that church properties are cared for. It does this by placing a responsibility on the local congregation for the upkeep of the property and the Presbytery is charged with the oversight of what local congregations are doing.

Local Congregation.

- The local congregation is responsible for fabric matters and is required to appoint a committee led by a person suitably qualified/experienced to manage the care of the properties. It does not specify who is regarded as being “suitably qualified”, it is left to the local congregation, but clearly people with appropriate skills are to be put in charge of the care of the properties.
- Those charged with the task shall carry out **at least one annual inspection**. This is part of the submission of the attestation of records and Presbytery checks that it has been done.
- The local property people shall carry out any special inspections as may be required. This means that if a problem develops between annual inspections it is to be dealt with and not left until the subsequent inspection.
- The congregation will keep and maintain a Property Register as determined and issued by the General Trustees acting on behalf of the national church (see the related section of the handbook).

Presbytery.

- Presbytery must set up a Fabric Committee with suitably qualified and/or experienced people to oversee this aspect of the work of Presbytery.
- The Fabric Committee inspect and verify the Property Registers of each congregation within the Presbytery.

- Presbytery via the Property Committee shall establish and fund an inspection cycle of the properties of the churches within their bounds. Refer to the section on Quinquennial Inspections for more details.

The pattern is one of partnership between the individual congregation and the Presbytery in maintaining the property of the church. There are procedures to deal with the handling of the reports and applications for assistance (these will be discussed at the relevant point in the handbook) to ensure all congregations are treated fairly.

The Presbytery Property Committee is made up of representative from local churches and are there to give advice and support, they too come from congregations dealing with fabric matters and are sympathetic to the issues every church faces.

What do you have to get permission for?

You do **not need** permission to simply carry out **routine repairs** and maintenance as they arise. There is a local limit for repairs. Where the **annual cost** of general repairs and maintenance does not exceed £10,000 for incidental individual repairs, each congregation can proceed as they wish.

If the cost of repairs exceeds the local limit you **will** need to get Presbytery approval.

If you intend to apply for grant assistance you **will** need the General Trustees consent **as well as** Presbytery's.

If the work is not simply a repair but an alteration, permission and approval **will** have to be obtained from Presbytery and, depending on the work, other Boards of the church irrespective of cost.

The simplest single bit of advice is, phone and ask!

Unless the work is an emergency permission and approval must be sought **before** work begins. This need not slow things down, but it will ensure that the applications will be progressed more smoothly.

Who do we get permission from?

The congregation have a direct responsibility to **Presbytery**, though other agreements and permission will need to be sought depending on the kind of work from other Boards, e.g. Artistic Matters for alterations and even redecoration of the church, General Trustees for some alterations, costly projects and grant/loan awards. It is good practice to identify who will need to be involved. Discuss the matter with them and seek their guidance and direction before lodging an application to make the formal part of the process as straightforward as possible. If you are not sure who needs to be asked phone the Presbytery Property Committee and ask. All applications need to be approved by Presbytery before going to any other Church Board, so Presbytery is always the starting point.

What is the procedure?

All extensive repairs (over £10,000) and all alterations will require approval from Presbytery and the General Trustees and in some cases also Artistic Matters (where there are alterations planned to the appearance or the sanctuary). This applies even if the congregation holds its own title deeds; part of the constitution of the Church of Scotland (in all forms) binds all congregations to this procedure for the maintenance of its buildings. This should not be regarded as an obstacle; the system exists to ensure that congregations are supported in their work of maintaining the valuable assets in their care and seeking to ensure that good decisions are taken with the limited resources of the church.

Works are to be approved **prior** to commencement unless it is emergency or urgent work and agreed with by the Presbytery Property Committee and formal applications should follow as soon as possible.

General Trustees approval is required for **alterations** to the church, hall and certain works in the manse; and/or where the financial limit is an issue. It is the responsibility of Presbytery to determine if work is a repair or alteration, when there is a doubt in the mind of the local congregation.

The **local limit** for repairs is set by **Presbytery** and is presently £10,000. Below this figure permission is not necessary for repairs and such expenditure on repairs is not taken into account when considering Financial Limit issues.

The **Financial Limit** is derived as follows,

- The cost of the proposed work, plus
- The cost of work (not repairs) in the last 3 years (approved by Presbytery), plus
- The anticipated cost of work (not repairs) in the forthcoming 3 years.

The total of these figures should be less than £50,000 to be excluded and should include VAT and professional fees. If works breach the Financial Limit threshold Trustees approval will be required. Each separate site that a congregation owns has its own Financial Limit. That means where the church has three separate sites that comprise its worship centre, hall and manse then each has a financial limit of £50,000. Where, as in some newer churches, the church and hall and even the manse form one complex then the financial limit is £50,000 for any one complex of buildings.

Where the Financial Limit is exceeded then Presbytery and the Trustees must give their permission. The Committee on Parish Appraisal will be consulted as to the long-term future of the charge in its present form. If there is a question over the long-term viability of a charge, approval for extensive expenditure will have to be compelling.

In making assessments of likely expenditure use should be made of the most recent Quinquennial inspection report.

Where the planned work is an alteration (even if it does not exceed the Financial Limit), or even if lower than the repairs allowance provided by Presbytery, Presbytery Approval **must** be sought.

If you are **applying for financial assistance** from central funds then Presbytery and Trustee approval **will be required**.

To standardise the application process Presbytery uses the application form issued by the General Trustees as these give a standard system of application and information provision. There are three forms and depending on the work to be done a congregation may have to submit a combination of forms along with a copy of the most recent accounts. You should have at least one copy of all application forms and copy them as necessary.

General Form A – For all application to Presbytery and General Trustees for repairs and alterations as outlined above.

Financial Limit Form B – To be submitted in addition to Form A where the financial limit is exceeded.

Fabric Fund Application Form C – To be submitted in addition to Form A and where appropriate Form B when making an application for financial assistance to the central fabric fund.

You must bear in mind that the approvals given by the Presbytery and the General Trustees will always be in addition to any legal permissions that you require to get for the planned work, e.g. planning permission, building control consents, etc.

What about emergency work?

Where the work is of an emergency nature but would otherwise require Presbytery (and possibly General Trustee) consent a congregation should make formal application as soon as possible and detail why the work could not wait for approval in the usual manner. Even in cases of emergency work you should contact the Presbytery Property Committee and discuss the circumstances and nature of the work so that an agreed plan of action can be devised. Thereafter completing the necessary paperwork to make the formal submission.

How long does the process take?

As a rule of thumb it can take about 4-5 weeks for an application to be processed through the Trustees this will be in addition to the timescale required to gain Presbytery approval.

Depending on the nature of the work the matter can be dealt with locally in the days leading up to a Presbytery meeting. However, this will only be considered where the Property Committee have been contacted and the issue fully discussed and agreed in advance. **Applications lodged without prior knowledge or consultation may be deferred until the next meeting of the Committee.**

In order not to delay the processing of applications, please note that these should always be sent to the Property Convener in the first instance, and not to the Presbytery Clerk. The Convener will put these applications to the Committee and then to Presbytery after which they will go to the Clerk.

Powers are normally given to Presbytery's office bearers to deal with applications during the summer long recess.

What is a repair and what is an alteration?

As a guide a “repair” can be defined as carrying out of operations to “make good” and includes restoration and renewals, which do not bring about any change in the character or appearance of the subjects. “Alterations” can be defined as partial/complete demolition, renovation, extensions, redecoration, rebuilding, and renewals and refurbishment where it is not deemed to be a repair. If you are in doubt contact the Presbytery Property Committee and talk it through.

Simple repairs and maintenance operations should not cause any problems. But where there are changes to be made to the physical layout of the church, or changes to accommodate new regulations or plant installation, these may be classed as alterations.

Phone and ask – advice is free!

Why do we need to submit our Property Register each year, and what should we include?

Again this is part of the **legislative requirement** placed on each congregation by the Assembly. Its purpose is to provide a means for the Presbytery to assess each congregation's diligence in caring for the properties under their care. It has to be said that is one aspect of the system that is least liked by congregations and the accuracy of its upkeep is variable. Yet it can be a very useful tool for each congregation and once it is set up properly should not be an onerous job to keep it up to date. What follows is a review of each section. Many aspects of the Property Register benefit from having access to a computer and basic word processing and spreadsheet programmes to simplify its maintenance. These can readily produce the required information in report format that replaces the need for extensive hand written reports. This may be an aspect that a congregation may wish to consider if clerical or administrative support is available.

1. Schedule of Properties: This is simply what it says a list of the locations and the type of properties in the ownership of a congregation. This list is unlikely to change very often if at all and so one way to deal with this is to have a sheet typed up with the information and simply attach it to the cover sheet.
2. Schedule of Insurances: This section exists to ensure that the buildings are insured appropriately for general risk and public liability. The insurer will issue a policy document detailing what is insured and what it is insured for. It is sufficient to copy this and attach the current policy to the cover sheet. The Congregational Court should regularly review these values taking into account current building costs.
3. Inventory: This is perhaps the least well-done aspect of the Register and yet is the one aspect that is best suited for computer records. Once the first inventory is compiled it can be easily kept up-to-date and the updated report produced and inserted into the Register. This aspect is important for insurance purposes as it allows for an accurate and quick claim to be made if necessary and also provides a measure for the

assessment of the value of the buildings and contents that you are insuring.

4. Investments and Trusts: Is a list of the assets of the church beyond the general income via the offerings of the congregation. Clearly where a church is asking for financial assistance with repairs and the like a full assessment of the church's ability to meet the cost has to be given to ensure that all charges are treated according to their needs and ability to fund work. Once again this may be something that does not readily change and so a computer held list, kept up-to-date, can be printed off and included in this section.
5. Annual Inspection: The church has decreed that **each charge will conduct** an annual inspection and this must be included in the Register to check that this has been done. The inspection is essential for the sound maintenance and upkeep of the church. The inspection should be at least a visual inspection of all accessible parts of the church's properties. It should identify faults and specify repairs, or further investigations if necessary. This inspection must be reported to the supervising court of the local church for approval, information and action. Again this can be done via a computer generated report and include a copy of the prepared report to the court of the church or an extract minute of the records of the meeting to confirm that it has been heard.
6. Repairs List: This identifies the repairs carried out in the church for that year. This can be computer generated and include the information as to whether it was identified via the annual inspection, Quinquennial inspection, or general maintenance.
7. Quinquennial Report: This allows for the issues raised via the inspection to be highlighted and their progress monitored. This section can be kept up-to-date by copying the report and attaching it to the cover sheet.

Following the main sections of the Register there is a general appendix with information on the Acts and the procedures that relate to the care of buildings.

After the attestation of local records by Presbytery a report is passed to the Trustees about the Registers and how they are being maintained and any action taken in light of congregations not keeping the records current.

It should be noted that at this time the Presbytery's Property Committee is negotiating a review of the present Property Registers with the aim of simplifying the system.

Chapter 2 – Support for local congregations.

This chapter looks at the local and national support that is available to every congregation in managing its property. Many congregations feel that they have to tackle everything on their own. This is not the case, the strength of the Presbyterian system is that there is help available through the wider church, this may be simply advice or financial support through grants and loans.

What financial assistance is available?

National funding through the General Trustees.

There are a few different sources of funding available by way of grants and loans. These are managed by the General Trustees in the main using the application form referred to. There are some other trusts that operate independently and information on these is available in the front of the Church of Scotland Year Book, issued annually to each minister in the church. There are a number of funds, bequests and trusts available for church buildings and halls but less for Manses. To make an application for financial assistance each congregation will need to know what they are planning to do and the costs of the work (an estimate or offer level of accuracy) and submit a copy of the current accounts via Presbytery who will also be involved in the approval of the work and grants or loans that the plans will attract.

Local support through Presbytery.

Presbytery also operates some local schemes to aid in funding. There is a local trust that can make small grants for work and this is administered through the various convenors of Presbytery. There is also the availability of a small **interest free loan** of up to £3,000 administered by the Finance Committee of Presbytery. Applications for this for repair and building work require the approval of the Property Committee before they will be authorised and so it is in the Congregation's interest to discuss this with the committee in advance.

Lottery/Historic Scotland Funding.

Many of the church buildings have a listed status and as such qualify for assistance from the Lottery/Historic Scotland funds. This is a very complex and involved process and the procedure is regularly reviewed and amended. It is difficult to include detailed information in this publication on that process. However support and assistance will be available from the Property Committee to congregations making application via that system. There are also other local congregations who have gone through the system and advise and direction will be available from them.

What is the Quinquennial inspection for?

There is a requirement in Act IX 1979 for each Presbytery to undertake an inspection of charges within its bounds. This is on a cyclical basis over a five-year programme. The Quinquennial Inspections are an Assembly requirement of the Presbytery to make sure that Presbytery is being diligent in its oversight of the congregations within its bounds and their diligence in the care of the buildings under their control.

The inspection has two main elements:

Firstly, there is a **high level** survey of the roof, towers and spires of the church. This is carried out by a steeplejack, who provides a report to Presbytery, a copy of which is passed to the congregation for their information and action, a copy is held in the Presbytery archive, and a copy is passed to the General Trustees for their records.

Secondly, there is a **general fabric** inspection (by a suitably qualified professional) of the church, hall and manse of the congregation followed by the issue of a report highlighting matters of concern for the congregation to action. Copies are distributed in the same way as with the high level survey.

These surveys are paid for through the annual Presbytery subscriptions, which each congregation make. So your survey is paid for by all the churches in the year it is carried out and your congregation contributes to other church's surveys in the intervening years.

It is the responsibility of the local congregation to action any emergency problems highlighted in the reports and also to consider the general finding and make appropriate plans to deal with the other fabric issues highlighted.

The surveys should not be relied on as the only source of property inspection (we will return to this under Property Register) and congregations should make use of the skills of its members but employ such professionals as required.

The fact that Presbytery carries out a routine inspection does not limit the right of a congregation to authorise specific inspections and reports to assist in the maintenance of the properties in their care.

The Quinquennial Inspection is once more the Presbytery's attempt to support congregations in their responsibility to look after the property of the church. The surveys may identify a number and range of issues requiring attention. It is up to each Congregation to prioritise and put these matters in hand. The Property Committee is on hand for advice and guidance. But, works should not be ignored because they are "too big" or "too costly" for they will only get bigger and dearer the longer they are deferred.

Chapter 3 – Planning Ahead.

This chapter seeks to give advice about ways of getting the maintenance requirements of your church on a sound footing. Property needs consume a lot of any church's money and so has to be well managed. Unfortunately many items are simply left as they "will do for just now" if there is no immediate money available to deal with them. This usually results in the cost of the repair escalating or quite literally bringing the house down.

A well planned and managed maintenance programme preserves the property and actually reduces costs where work is done as soon as possible after it has been identified. If money is an issue refer back to the relevant sections of this handbook and become aware of what financial help is available to your congregation.

Planned and Preventive Maintenance.

We are all familiar with the saying “a stitch in time, saves nine” this is applicable for the care of buildings, as action taken as soon as a problem is identified will go a long way to prevent it getting worse and becoming a bigger and more costly a job. It can also prevent other parts of the building from deterioration. To take this principle one step further, it is good practice not to wait for problems to identify themselves but to look for things that need attention and act before they become a problem. This brings us on to the subject of Planned or Preventive Maintenance.

Planned maintenance is work that needs to be done each year, or in a cyclical order, to ensure that major defects do not develop.

- ⊗ Servicing of heating plant in church, hall and manse.
- ⊗ Clearing of rainwater goods and gullies.
- ⊗ Checking and repairing slate/tile roofs and lead work.
- ⊗ Oiling of hinges, locks and latches.

Preventive maintenance is work carried out on a regular system to reduce the possibility of faults arising.

- ⊗ External repainting of woodwork and pipe-work (5 year recommended).
- ⊗ Rewiring of church, hall and manse (30 year recommended).
- ⊗ Renewal of boiler plant in accordance with manufacturers guidelines (usually 10-15 years for a domestic boiler).
- ⊗ Internal decoration on a 10-year cycle.
- ⊗ Renewal of other fixtures and fittings in accordance with their expected life.

It is also advisable to have a regular inspection and report carried out by a timber specialist on the condition of roof and sub-floor areas. These will

normally be available free of charge from many companies who hope to pick up any work that is due. It is advisable to have these done in the same year that the Quinquennial inspection is being done so that the church is aware of the full extent of any work needing done. Dry rot, wet rot and beetle infestation can be particularly destructive and can happen at any time. It is not enough to **think** that you do not have a problem; you need to be **sure** that you don't. Once dry rot has begun it can spread up to 3 – 4 metres a year and can quite literally bring the house down. Wet rot and timber infestation are usually more localised but can be destructive and costly if allowed to continue unchecked.

When it comes to Preventive maintenance it makes sense to look for ways to eliminate expensive items with less costly but equally efficient material or products. For example we know that cast iron rainwater goods are much more expensive than PVC and that cast iron will need eventual repair and replacement. Rather than wait for trouble set aside a small amount each year for the purpose of renewing the cast iron with PVC. This may mean that you are replacing the cast iron before it fails, but also before it becomes a major problem. Defective rainwater goods can cause significant damage to stone work, allow water in the eaves of roofs and cause wet rot or initiate dry rot all of which are more costly than dealing with it before it is a problem. Items that could be included in a Preventive Maintenance Programme will be determined by the structures of the church and whether it is listed or not.

The more work you anticipate and allow for, the better equipped your congregation will be in maintaining its buildings.

Planning for the future.

The buildings we have were often built for a time and a purpose that has passed. For example The Disability Discrimination Act requires churches to make all reasonable alterations to accommodate people with disabilities (this is not limited to wheelchairs but covers all disabilities). The use of halls may well have changed greatly from when they were first built. Manses too need to be assessed as to whether they meet prevailing standards and are still an asset for the church rather than a millstone. All congregations need to develop an attitude of anticipation with regard to the upkeep of their building and not wait for trouble, for by then it can sometimes be too late at worst or cause greater financial pressure than need otherwise be the case.

We are aware that certain items of plant and equipment have a limited life span and they may also require regular and routine maintenance all of which costs money. It is advisable to plan and budget at an early stage for the renewal of certain items so that when the inevitable happens it is not such a huge shock to the funds. For example if boiler plant has been replaced at a cost of £5,000, the next year you need to write off an sum of that value so that by the end of the life of the boiler there is money in the fabric fund to replace it as well as setting aside money for the routine servicing and incidental maintenance of the plant.

As you go through the property you find that there can be quite a list of things that will need to be planned for, electrical rewiring, plant renewal and upgrading, flat roof renewal, lead flashing renewals, external paintwork

along with the associated repairs and that is the opportunity to look at upgrading, planned upgrading to seating, access, water supply, drainage, kitchens, WC facilities, disabled amenity provision and maintenance. By the time you get to the bottom of the list the total cost on an annual basis may be quite shocking. It should not be a surprise that for a traditional Victorian church of a straightforward design that an annual repairs budget of up to £10,000 may be required to allow the church to have all necessary funds available for the major repairs and renewals that will be necessary along with the general repairs and running costs. This can be increased where there is a hall and again for the manse. It is advisable to go through the process of financial assessment and compare it with present fabric allowances – and when they are compared it becomes clear why so many congregations have substantial problems with the maintenance of their buildings. You may find it useful to work with the treasurer to identify recurrent items and their costs and the depreciation of the plant over its expected life span.

It is up to each congregation to make adequate provision for the upkeep of their buildings and it may well be that an incremental approach will have to be adopted until sufficient funds are being set aside. You may well have to prioritise such matters. If you wish you can contact the Property Committee who will give advice on the kind of issues that should be taken into consideration. You may find it useful to arrange a site inspection and have a fresh pair of eyes look at the property with you – purely in an advisory capacity - with the decision on any action or planning resting solely with the local congregation. Here are a few things to think about for church/hall and manse: heating system, wiring, roof coverings, rainwater goods,

external timbers, sanitary ware, kitchen fittings, floor finishes, windows, doors, alarm systems, decoration. Each of these will have an expected lifespan but may require annual servicing and incidental repairs.

A sample budgeting plan for building maintenance may include items such as:

Annual

Service heating system at church	£300
Service heating at hall	£250
Service heating at manse	£175
Clearing rain water good all locations	£200
Overhauling slates all locations	£700
Incidental repairs over year	£750

Sub-total **£2,375**

Preventive Programme

Renewal of boiler in Manse £5000 over 10 year Period	£500
Renewal of boiler at Hall £7,500 over 10 years	£750
Renewal of church boiler £12,000 over 15 years	£800
Repaint external woodwork £2000 over 5 years	£400
Rewire of manse £7,000 over 30 years	£233
Rewire of hall £10,000 over 30 years	£333
Rewire of church £15,000 over 30 years	£500
Renewal of kitchen units manse £10,000 over 10 years	£1000

Total budget required **£6,891**

Clearly this list is not exhaustive and many items can be included and the replacement timescales are also variable as are the costs, but it gives a pattern for planning and decision-making. Too many congregations get caught out when things need replaced as no

provision has been made to do so. When an item is replaced financial provision should be immediately put into place for its future replacement. It is important for the fabric and financial teams/committees of your church to sit down together and discuss this; develop a comprehensive list of running costs and also to devise a funding strategy for the future. This can be hard to accomplish among the competing demands for the limited finance of each congregation.

Manses.

A vacancy is an ideal time for congregations to upgrade and carry out major repairs to the manse. **But the responsibility to adequately maintain the manse exists at all times.**

Vacancy.

Prior to any call being sustained by Presbytery it is a requirement that the manse be inspected by representatives of the property committee and a report issued to the congregation on the minimum works required to be completed **prior** to occupation by the manse family. It will also include other general comments about what may need done in the near future. Once a time has been agreed the congregation should make available the last quinquennial report on the manse and the last annual inspection report along with a list of the works in hand and planned. This should also include test and compliance certificates for electrical installations and gas appliances being presented; this will be required on every occasion. **If works are not in hand or the manse is deemed to be in a sub-standard condition it may jeopardise the sustaining of the call.**

Falkirk Presbytery have decided in light of historic experience that no call will be sustained until **all** the work deemed necessary for the manse is **completed.**

In occupancy.

Along with other church buildings the manse must be inspected annually and all necessary work put in hand. It must be borne in mind that the manse

is not a public building but is the family home of the minister and his/her family. Consequently sensitivity needs to be exercised in making the arrangements for the inspection. Neither should the incumbent have to make a special plea for work to be done. **It is the responsibility of the congregation to keep the manse in a fit state at all times.** The manse is likely to be one of the biggest assets that the local church has and there is a responsibility to maintain that asset. Some assistance may be available from grant funds (see the relevant section) to help with the upkeep of the property, but these are limited. The manse is the only property of the church that is in continual occupation, in many cases works cannot be deferred without causing potential harm to the occupants.

Perhaps the easiest rule of thumb is if it's not good enough for your house, it's not good enough for the manse.

In 2005 The General Assembly approved Manse Standards and an extracted version of these can be found in Appendix 2. The standards laid down by Falkirk Presbytery are, in some ways, more rigorous and when a vacant Manse is being inspected a coalition of both will be taken into account and discussed with the representatives of the Congregation present.

Manse Standards.

Manses come in all shapes and sizes, and of all ages and types. As a guide to congregations when a Manse is being inspected by Presbytery its representatives will be looking of the following items.

- ⦿ The right size, 3 public rooms and 4 bedrooms, excluding kitchen and bathrooms.
- ⦿ Kitchen fittings of adequate quality and with an expected life of at least 5 years following occupancy.
- ⦿ Floor covering throughout of a high enough quality to give at least 5 years use.
- ⦿ Full central heating, with a record of maintenance at the time of inspection. Where the plant is nearing the end of its expected life, the congregation must provide details of its intention with regard to renewal.
- ⦿ The property shall have an integrated alarm system. The manse is a vulnerable property as many people will be aware when the manse family is on holiday as it is often announced and even published in the local papers.
- ⦿ Decorated throughout to an adequate standard, where the majority of rooms will not need done within the next 3 years. The congregation shall also give details of their redecoration programme of the manse.
- ⦿ The kitchen shall have a washing machine, tumble dryer, fridge, freezer and dishwasher. Where the incoming minister brings their own the church only should provide those items not brought.
- ⦿ All routine repairs to be done.
- ⦿ Fully double-glazed and if not a programme of replacement windows to accomplish this must be provided and be accomplish within a reasonable time span (possibly a maximum of 5 years).
- ⦿ Outhouse and garages fully maintained.
- ⦿ All paths and steps free from tripping hazards.
- ⦿ Where there are glazed doors etc with a ground level glazed aperture this must be safety glass.
- ⦿ All bathroom fitting free from damage and have an expected life of 5 years.

- ⦿ All taps and valves overhauled.
- ⦿ The electrical system shall be fully inspected by a qualified tradesperson and a certificate of compliance issued prior to occupation.
- ⦿ Loft space and solum areas should be regularly inspected (every 5 years) and reported retained. Where the vacancy exists within the last two years of an inspection cycle it is expected that the cycle will be advanced and done when it is vacant.

Falkirk Presbytery have determined that the cyclical congregational visits by the Superintendence Committee shall now include an item reporting on the condition of the church's properties and the diligence of the congregation in maintaining them and as such any congregation failing to adequately maintain its properties may find itself defined as in an "unsatisfactory condition".

Appendices, Contacts and Useful Information.

For details of the present members of the Presbytery Property Committee you should refer to the Presbytery Year Book. This will provide you with the current list of committee members and how to contact them. If you do not have one of these, contact your minister or Presbytery Elder who will have one.

For contact details for staff at the church main offices in Edinburgh you should refer to “Section 1” of the Church of Scotland Year Book, which will detail contacts and also grant and trust funds available. However for most Fabric Committee issues you should contact **Mr. Keith Mason at 121 George Street on 0131 225 5722 ext 208.**

A guide on implementation of the Disability Discrimination Act 1995

After consideration by the Church of Scotland General Trustees the following guidelines are given to help Congregations who are considering bringing their premises into line with the Disability Discrimination Act 1995 (giving rights of access for Disabled People) the third stage of which comes into force on 15th October 2004. The third stage of implementation deals with “Physical Features of Premises”. The General Trustees recognise that some Presbyteries have already produced excellent guidelines on these matters and that many Congregations have this matter well in hand.

INTRODUCTION

Increasing access is central to the Church’s mission of bringing people closer to God. The purpose of these notes is to provide guidance for churches as to how to make their premises more accessible to disabled people, in accordance with new (and forthcoming) duties covered by the Disability Discrimination Act 1995. The “*duty of reasonable adjustments*” affects all providers to the public of goods, facilities and services and includes churches. It is due to come into effect in three stages. This paper outlines the initial stage which came into force on 2nd December 1996, stating the general duty not to treat disabled persons less favourably for a reason related to their disability; the second stage which came into force on 1st October 1999; and the third phase covering changes to the physical fabric of a building, which is due to come into effect next October.

The implementation of these changes offers Congregations a unique opportunity to take a lead in promoting the inclusion of disabled people in their communities. Ignoring the duties now laid on Congregations is not an option. Equally, the new duties will benefit everybody, including older people and young families, for whom poor access can be a challenge and sometimes a disincentive to attending church. Investment in improving access now, even in advance of duties relating to physical features, may be the most cost-effective approach. Minimising improvements to access is a false economy, which will cost Congregations more in the longer term. Good practice will help maximise the benefits of the new duties.

THE DISABILITY DISCRIMINATION ACT (“the Act”)

1. The Act makes it unlawful for service providers, landlords and other persons to discriminate against disabled people in certain circumstances.
2. A ***disabled person*** is someone who has a physical or mental impairment that has an effect which is substantial, adverse and long-term, on his or her ability to carry out normal day-to-day activities. Physical or mental impairment includes a sensory impairment. Hidden impairments are also covered by the Act. An effect is substantial if it is more than minor or trivial. An effect is long-term if it has lasted (or is likely to last) for at least a year, or is likely to last for the rest of the life of the person affected.
4. ***Discrimination against a disabled person*** occurs in two possible ways. One way is when a service provider treats the disabled person less favourably – for a reason relating to a person’s disability – than it treats (or would treat) others to whom that reason does not (or would not) apply, and the service provider cannot show that the treatment is justified. The other way in which discrimination occurs is when a service provider fails to comply with a duty imposed on it by section 21 of the Act (the duty to make “reasonable adjustments”) in relation to the disabled person; and cannot show that the failure is justified.
3. The duties on service providers have followed in three stages:
 - Since 2nd December 1996, it has been unlawful for service providers to treat disabled people less favourably for a reason related to their disability;
 - Since 1st October 1999, service providers have to make “reasonable adjustments” for disabled people, such as providing extra help or making changes to the way they provide their services; and
 - It is intended that, by 15th October 2004, service providers will also have to make “reasonable adjustments” to the physical features of their premises to overcome physical barriers to access.
4. Since 1st October 1999, in accordance with the second stage, churches as a service provider offering services to the public have had a legal

duty to take such steps as is reasonable for that service provider to take in all the circumstances of the case in the three situations described immediately below.

Churches may have to:

- Change a practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to make use of their services;
 - Provide a reasonable alternative method of making their services available to disabled people where a physical feature makes it impossible or unreasonably difficult for disabled people to make use of them;
 - Provide an auxiliary aid or service if it would enable (or make it easier for) disabled people to make use of their services.
5. The duty to provide a service by a reasonable alternative method is only one element of the duty in relation to physical features. The Government intends that the other elements of the duty (which will require a service provider to remove or alter a physical feature of its premises or to provide a reasonable means of avoiding the physical feature) will not come into force until 2004. However, it makes sense NOW for churches (as service providers) to plan ahead by taking any opportunities which arise, or bringing forward plans, to make alterations to their premises to benefit disabled people before October.

Implications for the churches

6. The third stage of implementation of the duty of reasonable adjustment, affecting physical features, is due to come into effect in October. This is designed to allow churches and other service providers to plan and, where possible, incorporate those plans into current projects (e.g. as part of a refurbishment programme). There is therefore nothing to prevent churches going beyond the duties introduced on 1st October 1999, in advance of next October.

The Act refers to BS 8300, which includes sections on the following subjects (*the words in italics are extracts from the various clauses from BS 8300:2001*):

- a) **Car Parking and setting down points – Clause 4.** *Car parking, setting down and garaging are important activities at the beginning or end of journeys. Car parks may be open or multi-storey; setting down points may be on- or off-street; journeys may end inside a garage or an enclosed car parking space.*
- b) **Access routes to and around buildings – Clause 5.** *It is important to restrict the number of barriers, restrictions, or other hazards that disabled people encounter on their approach to and from a building. Low-level bollards and chain linked posts, for example, are particularly hazardous to blind and visually impaired people.*
- c) **Entering a Building – Clause 6.** *Unless suitably designed, the principal entrance to a building can often be a barrier to access for disabled people. The following factors should be taken into consideration in the design of the principal entrance to a building:*
 - i) *the prominence and visual relationship of the entrance with its surroundings;*
 - ii) *the type of threshold needed to allow convenient wheelchair manoeuvre;*
 - iii) *the ease of operation of the principal entrance door;*
 - iv) *the minimum effective clear width through the doorway.*
- d) **Horizontal Circulation – Clause 7.** *Suitable access to a reception point and clear signs indicating routes to other parts of the building are important.*
- e) **Vertical Circulation – Clause 8.** *People with impaired sight risk tripping or losing their balance if unaware of steps or a flight of stairs. For such people, the provision, (underfoot) of a timely warning, that there is a change in level, is essential.*
- f) **Surfaces and Communication Aids – Clause 9.** *The extent to which floor, wall, door and ceiling surfaces enable disabled people to find their bearings and maintain their independent use of a building, is influenced by:*

- i) *the colour, luminance and texture of surfaces;*
 - ii) *the treatment of components and finishing elements, such as doors, architraves, skirtings, cornices, handrails etc. which define, or are contained within, these surfaces;*
 - iii) *the correct use of surfaces to clarify location and direction and to identify objects;*
 - iv) *the acoustic environment;*
 - v) *the grip of floor surfaces, particularly at changes of level.*
- g) **Facilities in buildings – Clause 10.** *Ease of operation, visibility, height and freedom from obstruction are key factors that affect the use of building services by disabled people.*
- h) **Assembly Areas – Clause 11.** *Convenient access to counters and reception desks is essential for disabled people if they are to make full use of a building, whether as a visitor or as a member of staff proving a service.*
- i) **Rooms – Clause 12.** *Disabled people should be able to find and use suitable lavatory accommodation no less easily than non-disabled people. The space requirements for suitable lavatory accommodation are generally driven by the needs of wheelchair users, although it should be recognised that the facilities may also be used by people with other disabilities, such as visually impaired people with guide dogs.*

Funding

Those Congregations seeking funding to implement this Act should apply for funding in the normal way. Funding may be available through the Central Fabric Fund for those Congregations unable to meet these costs. Further details may be obtained from the Secretary and Clerk, General Trustees Department, 121 George Street, Edinburgh, EH2 4YR (email: gentrustees@cofscotland.org.uk). Congregations who have holdings in the Consolidated Fabric Fund would be able to apply such funds for these works.

DO NOT DELAY – ACT NOW!

Publications and other sources of information.

BS 8300:2001

The Disability Discrimination Act refers to BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people – Code of Practice.

Copy available from the Stationery Office Ltd, 71 Lothian Road, Edinburgh.

For the full Act you can visit: www.legislation.hmso.gov.uk/acts/acts1995/1995050.htm

Designing for the Disabled by Selwyn Goldsmith

(First published in 1963 by the RIBA) Has a lot of good basic information on space requirements.

Open Church

Produced by Committee on Artistic Matters updated March 2003.

Useful general information, especially on ramps. Copies available at Committee on Artistic Matters, Church of Scotland, 121 George Street, Edinburgh.

Building Standards Scotland

These standards need to be referred to where alterations require a Building Warrant from the Local Council.

Access to the Built Heritage – Historic Scotland Technical Advice Note 7.

This has a lot of useful information including dimensions required for ramps, toilets etc. Available from Historic Scotland, Longmore House, Salisbury Place, Edinburgh.

Access to the Historic Environment by Lisa Foster

Published 1997 by English Heritage. Pages 111 – 112 describe room size and layout for Accessible w.c.'s. Good examples of historic building alterations.

Churches Main Committee Circular No 1999/4 and 2001/5

Both can be obtained electronically or in hard copy from the Law Department, Church of Scotland, 121 George Street, Edinburgh.

Disability Rights Commission

Website to be found www.drc-gb.org with a special Scottish section at www.drc-gb.org/scotland

Widening the Eye of the Needle by John Penton

Published by Church House Publishing. Good diagrams and a useful audit report checklist.

APPENDIX II

GENERAL TRUSTEES GUIDELINES FOR MANSES THE CHURCH OF SCOTLAND

Introduction

The Trustees are aware that there is considerable confusion among Financial Boards with regard to what basic level of fitting out and decoration they are required to provide at Manses. These notes aim to clarify the position and to provide “best practice” guidelines for Financial Boards, Ministers and Presbyteries.

So far as the level of accommodation is concerned, it is worth noting that the General Assembly has reaffirmed that a Manse should normally have not less than three public rooms, four bedrooms and a garage.

The Basic Position

A Minister's remuneration comprises both a stipend and a Manse. Accordingly, before a Minister is inducted to a vacant Charge, Presbytery has to be satisfied that there is a suitable Manse within the Parish or in close proximity and that all work needed to make it so has been carried out. Every Congregation has a duty through its Financial Board to provide a wind and watertight Manse which is habitable and to keep it in a good state of repair and decoration during its occupancy by the Minister and family. The Minister should not have to spend his or her own stipend to achieve this. Presbyteries must ensure that Manses are inspected at least once every year by Congregational Fabric Committees and any necessary repairs undertaken.

A Minister has the right to live in the Manse and a corresponding duty to occupy it.

The Basic Essential

In light of modern standards of comfort and expectation of what constitutes an acceptable family home, it is appropriate for every Board to provide a Manse which has:

- An efficient heating system throughout
- A lead-free supply of hot and cold running water
- A modern wiring system with plenty electrical sockets in all rooms
- A kitchen with cooking facilities and sufficient work surfaces and storage
- Bathroom and sanitary ware; at least one bathroom should have an efficient shower and there should be a separate toilet and washbasin for the use of visitors
- Proper lighting in every part including sufficient exterior lighting
- Carbon monoxide and smoke alarms on every floor and a fire blanket or extinguisher in the kitchen all compliant with current regulations

- An annual check on gas, electrical and fire safety appliances. Maintenance arrangements should be in place for gas appliances.
- Adequate storage facilities for garden equipment , bicycles, etc.

The Minister and Board should agree an annual program to maintain the Manse garden and grounds.

The Board must also have in place a rota for systematic internal and external decoration. A suggested programme is shown below.

Desirable Provisions

Boards should also consider providing other benefits including:

- A fridge, washing machine, tumble dryer and dishwasher .
- Carpets and floor coverings in all rooms
- Blinds or curtains in the study and the public rooms
- Security systems
- Double glazing and loft insulation

Ministers' Responsibilities

The Minister and Manse family are responsible for:

- Allowing the Board access to the Manse for all necessary purposes particularly for urgent repairs and annual or six-monthly inspections, at a mutually convenient time
- Maintaining the garden and grounds in a neat and tidy condition
- Treating the Manse fabric including fittings mid fixtures with due care and consideration and, where these are provided by the Board, leaving them in the Manse as the property of the Board

Financial Considerations

It is recognised that not every Manse will immediately meet the foregoing criteria mid a Board may therefore need to plan a programme to bring its Manse up to standard over a period of several years. For Congregations with holdings in the Consolidated Fabric Fund, costs will be recoverable from capital or revenue. Financial assistance may also be available from the Central Fabric Fund by way of grants and loans.

A suggested decoration programme for a standard 7-apartment Manse, is as follows:

Year 1	outside painterwork	Year 6	outside prainterwork
2	vestibule, hall and stairway	7	bed/r 2
3	bed/r 1	8	dining room and kitchen
4	kitchen, utility room and study	9	bath/r, toilet and bed/r 4
5	Lounge	10	Bed/r 3

Further Notes

Guidelines are available from the General Trustees' Secretary's Department on:

- Building a New Manse
- Acquisition and Sale of Manses