Online Faculty System

A Parish's User Manual Formal Consultation

2020 Rules

James Miles 1st April 2020

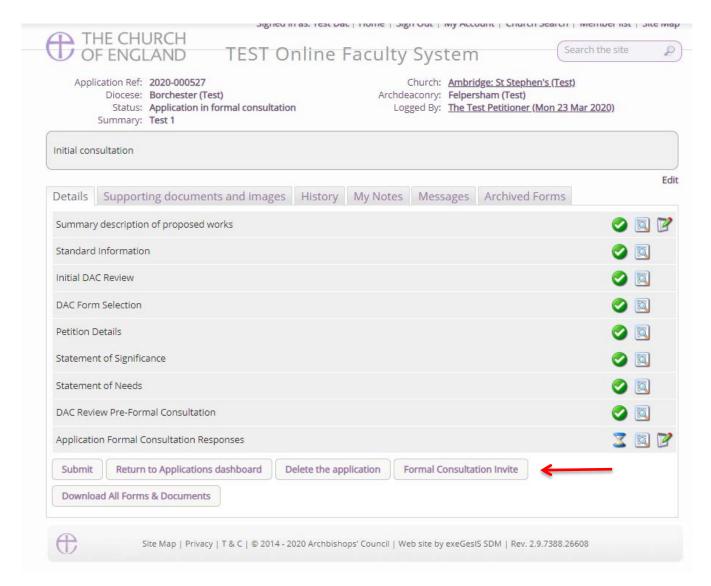
Formal Consulation

Under Part 4 of the new legislation, **formal consultation** with national bodies is now required prior to the DAC giving their **notification of advice**. The DAC will advise who to contact, but under Rule 4.1, the parish are the ones who should manage this. The DAC secretary can do this on your behalf if **you (PCC)** give them permission to do so. Each person/body who is invited to formal consult on a case has a statutory period of 42 days to respond. Should you forget to invite a body after 40 days, and they are legally required to consult on the proposal, they themselves will have 42-days to respond, which could result in a total of 82 days. Always remember then to invite all bodies necessary as early as you can. An online response function has been developed to allow these external bodies to reply directly through the system.

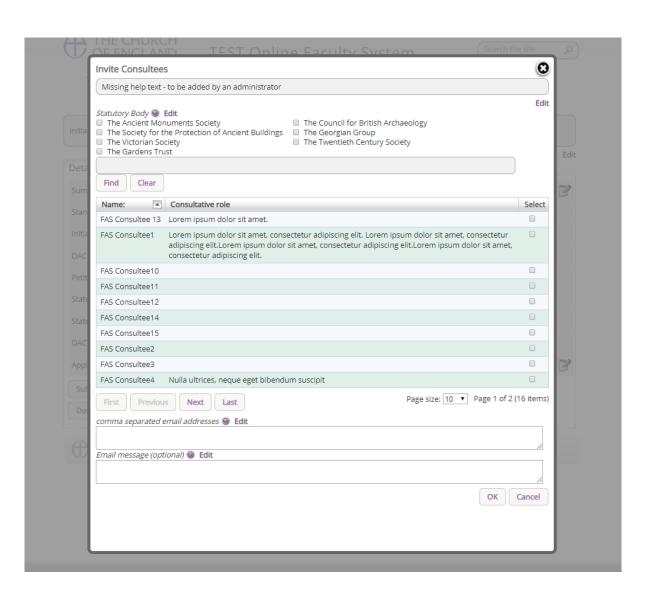
Formal consultation is not required for every proposal submitted. Should the DAC secretary move the case forward to the **notification of advice**, no further work is required of you until the DAC have issued this document. Should the case instead move forward to **Formal Consultation** you will be sent an email to notify you.

Inviting Bodies to formally consult

If you have decided to run the consultation process yourself, during this consultation period, you will be met with the following new form. To invite Formal Consultees, press the **Formal Consultation**Invite button.

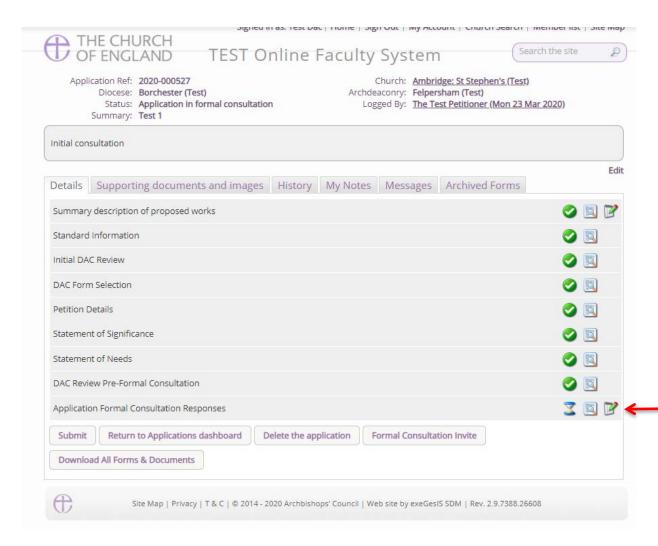


You will then be invited to select the relevant bodies that are required to be consulted. Usually these are Historic England, National Amenity Societies, Local Authorities and the Church Buildings Council. Unlike the pre-application consultation invite function, this new form will list the Amenity Societies at the top of the page. Select each relevant body (as required), together with the bodies and people who are listed in the consultee list, write an optional message to them, and press **OK**. This will then send an email to the Joint Committee for the National Amenity Societies (if selected) and the relevant bodies. You may invite anyone that you would like via this function, but each body/person has 42 days to respond. Asking these bodies now discharges the duty of asking. You do not need to chase them for a reply. Should theses bodies not respond within the 42-day window, you may move the case forward to the DAC. Should a body/person contact you to ask for slightly more time, it would be advisable to allow for this, otherwise the Chancellor may direct that this consultation be completed again at a later point, which adds further to the time for your application to gain its determination.

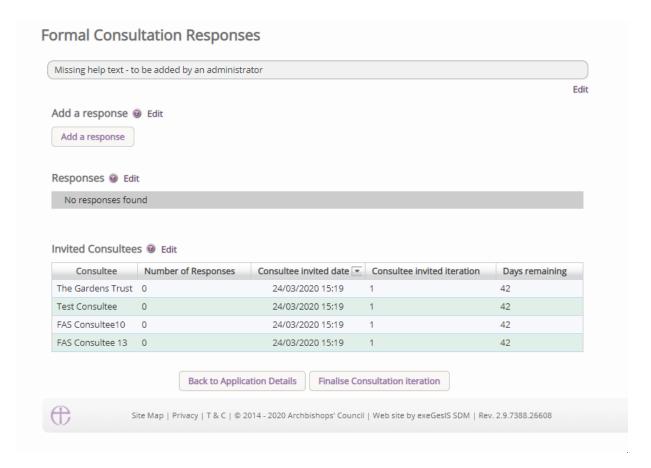


Reviewing replies

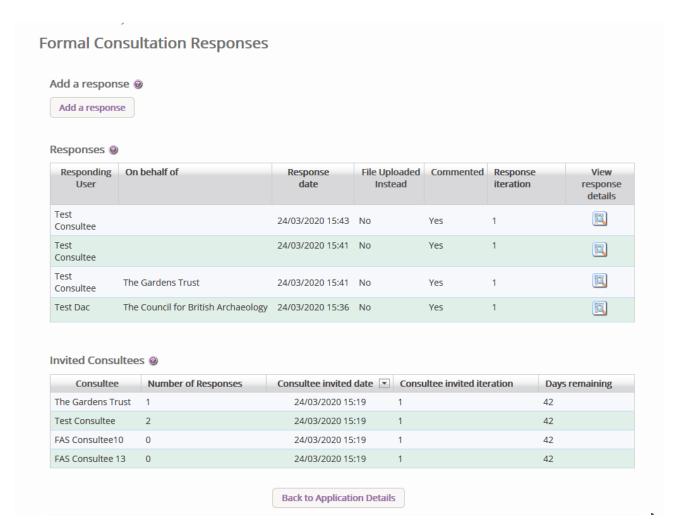
Once relevant bodies/persons have been invited, if you press **edit** next to the Application Formal Consultation Response you will be able to view who was invited, and how long they have left to reply.



Once inside the response form, you will be met with following example. Here you will see that four bodies were requested to consult. Each have 42 days to respond and none of these bodies have yet to provide a response.



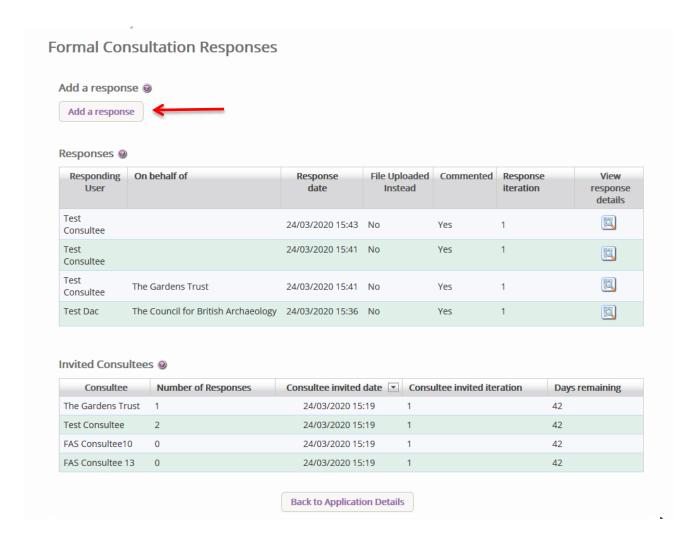
A consultee will be able to reply directly through the system, and once replies are given, the responses will be visible to you and the DAC secretary, as well as all other consultees. In the below example, Test Consultee has responded twice and is listed as such against their name in the invited consultees table.



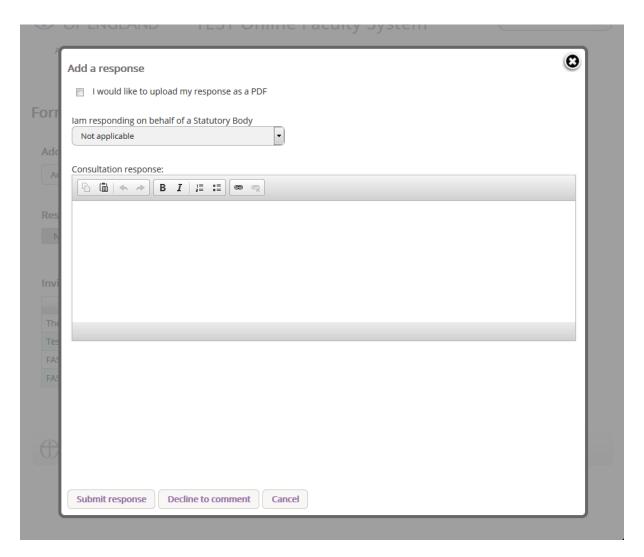
In the above example, you will also be able to see that the Test Consultee account responded on behalf of The Gardens Trust, and their response as an Amenity Society is listed against their response. This is an important feature as it allows for those contacting you via email or letter, to have their responses added to the online system. These responses will become public during the public notice period, and so it is **essential** that all relevant correspondence is added and listed against the statutory body in this interface

Add a response on behalf of a body

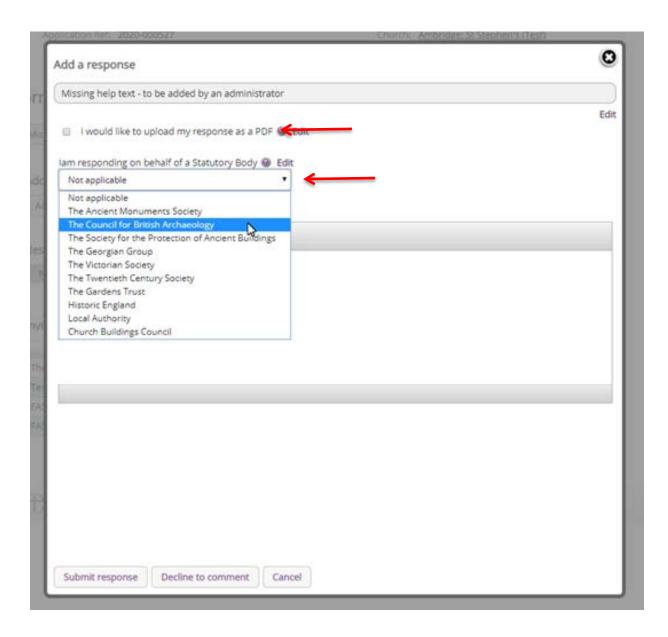
Should you wish to add a response on behalf of a statutory body, the **Add A response** button at the top of the page is available to be selected.



Selecting this button will provide the following interface.



A response can be uploaded via the supporting documents tab if required, but it needs to be marked as such through the tick box function available in this form. You will also need to select the relevant body in the dropdown list under the *I am responding on behalf of a Statutory Body* field. Here you will select the relevant body. Once selected, you can press either *Submit Response* or *Decline to Comment*. If you select **Submit Response**, the response table in the main consultation page will list the Statutory body as having commented on the case. If you press **Decline to Comment**, the table will show that the body has decided not to comment. YOU SHOULD ONLY DO THIS IF YOU RECEIVE COMMENTS OFFLINE and it is advisable to provide proof of the corresponded via the supporting document tab.

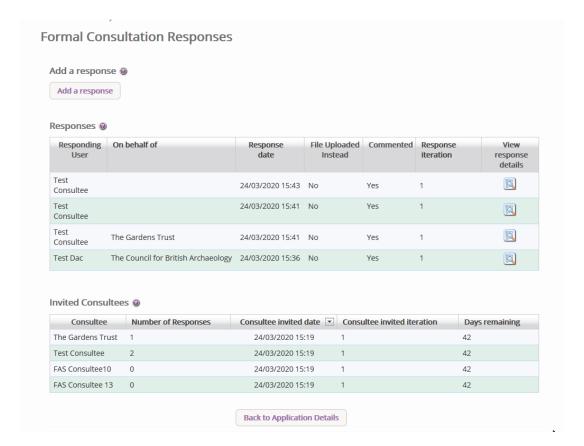


Should the comment from the body be straightforward, you may wish to use the text box included to add the reply directly, again adding the name of the external body.

If you press Submit or Decline without selecting the body in the dropdown table, it will list the reply as coming from you directly. **Please make sure to select the relevant body.**

Viewing Response

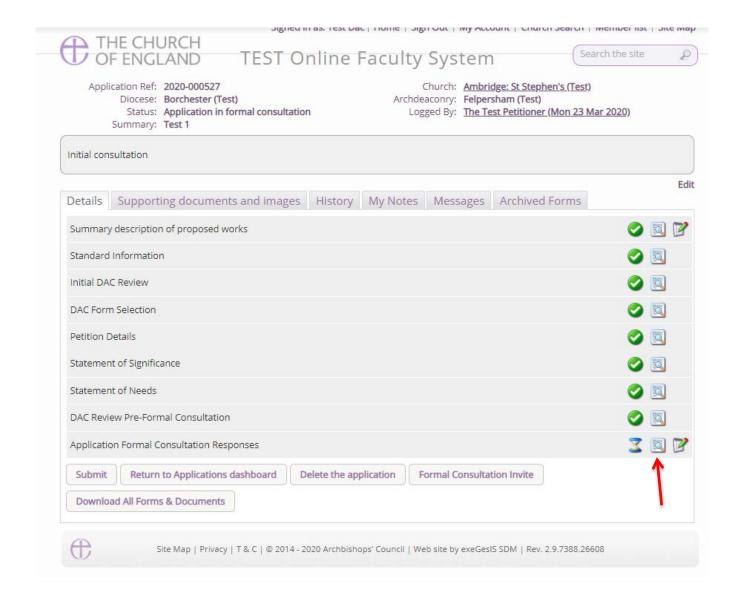
To view individual responses made by bodies, press the **View** button on the response table found in the formal consultation section.



Once the view button has been pressed, the response by the body will be shown as below, with the name of the person providing the response; the name of the body responding; the date of the response; the proposed works that were reviewed; and the response.

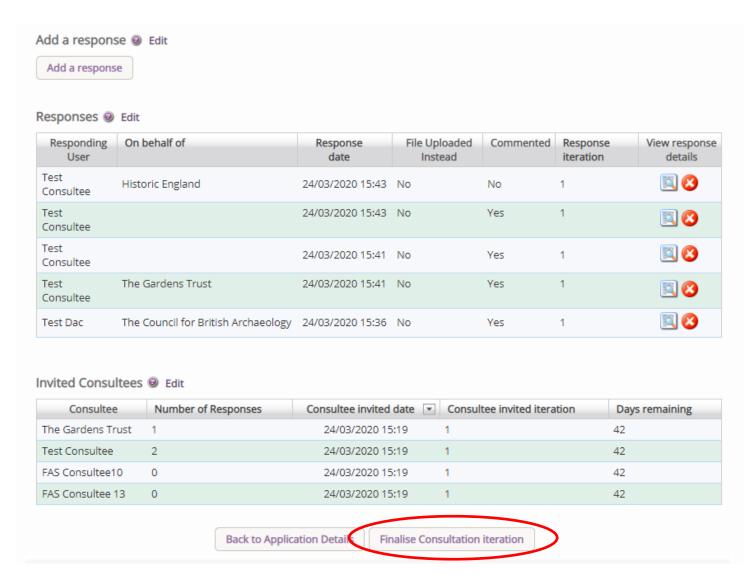


On the main applications page, this view button can be used to view all responses within one PDF document.



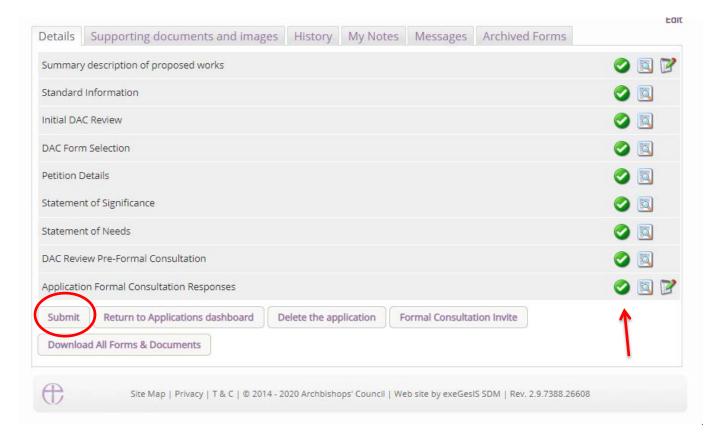
Finalising Consultation

Should you receive all of the necessary comments within the 42-day period, or should the 42-days have passed, and responses have not been received, you have the ability to finalise the consultation and move the application onto the next stage. Within the **consultation responses form**, there is a button marked as **Finalise Consultation**



If you press this during the 42-day period, the consultation will end. **DO NOT PRESS THIS UNTIL THE CONSUTLATION IS COMPLETE.** As soon as this is pressed, no further consultee will be able to add their response through the online system. If you have ongoing consultations, and are waiting on responses, and end this consultation period prior to required 42-days, it will cause issue with how the application is processed.

Once finalised, a green tick will appear on the main application page, and the application can be submitted to the DAC for review by pressing the **Submit** button.



DAC review of formal Consultation

Once the application has been sent to the DAC secretary and/or DAC members, they will review the comments made by the Statutory bodies. If, following the comments made, they think that proposal may need to be changed or altered, they will send the application back to you to edit the Petition details, the Statement of Significance, and the Statement of Needs, and add any further supporting documentation. You do no have to make any changes if you do not want to. The suggested alterations by the DAC are for you to take on board, and it follows the consultation that was received. If the DAC secretary does send it back to you, an email will be sent to you with their comments. If the consultation does not prompt a further round of consultation, the DAC secretary will move the case forward to the **Notification of Advice.**

Changes in response to Consultation

Changes can be made to the proposal and submitted back to the DAC for review. This process follows the work outlined above between *Awaiting application form completion* and *DAC review preformal consultation*. Once submitted on to the DAC for review, they will then review the case, and if a material changes have been made, the DAC will then move the case forward to a second round of consultation.

Second round of consultation following changes

Should a second round of consultation be required, the specific body that raised objections against the proposal should be contacted using the same method described in the **Formal Consultation** section above. A statutory period of 21-days is given to these bodies to reply to the consultation, and again you have the power to add their response if you receive it offline, and to finalise the

consultation should they reply within the 21 days. Once this process is followed, the case will then be submitted to the DAC for review of the comments made by the Consultee, and the DAC secretary could then restart this loop with further suggestions. These further rounds of consultation would be rare, but in some more complex cases, it is not uncommon for these further rounds of consultation to be made.

Getting Help

If you have any problems navigating the Online Faculty System, please read the <u>Frequently Asked Questions</u> section on the website.

If you cannot find an answer to your question, please contact the DAC Secretary in your diocese for further advice.

If you are experiencing technical difficulties with the Online Faculty System or have an emergency, contact the Admin team at https://facultyonline.churchofengland.org/contact