

Delegated Advice – Guidance for DACs

1. The Church of England (Miscellaneous Provision) Measure 2018 provides new powers for Diocesan Advisory Committees to delegate matters to its officers.
2. It is important that the use of the power is clearly within the competence of the person exercising it to protect the reputation of the DAC and the wider Ecclesiastical Exemption.
3. The wording of the new provision is:

‘The committee may delegate the exercise of any of its functions to an officer of the committee.’

For the full text see Section 12 of the Measure

(<http://www.legislation.gov.uk/ukcm/2018/7/section/12/enacted>)

4. This wording is helpfully broad and does not specifying which officer matters are delegated to – it is not limited to the DAC Secretary for committees with more than one officer.
5. The functions that can be delegated include the issuing of a Notification of Advice.
6. It is for each DAC to agree how it wishes to use this new power and its policy on its use can change according to the skills and experience available in its officers. The proposed use should also take account of the impact on workload.
7. In developing its policy for the delegation of functions to its officers the following areas are particularly worthy of consideration:
 - a. Delegation of details after proposals have been broadly agreed by the DAC.
 - b. Delegation of specific types of work, for example more extensive repairs and improvements that are not in List B but which don't have a significant effect on the character of a listed building.
 - c. Delegation of technical matters that do not have an impact on the historic character of the church or its furnishings. This could include conservation matters and include statutory consultation for historic furnishings.
 - d. In the exercise of delegated authority the DAC officer may consult appropriate members or advisers of the DAC.
8. It would be appropriate for the DAC to have a report at each meeting so that it knows how the power is being used.