



These guidelines must be followed when undertaking all works to a church building. The underlying principle is the same as that for the Faculty Simplification process, that is, taking a responsible but proportionate response to the law which should be followed when undertaking work in Churches.

Grants for Places of Worship (England)

Places of worship have an increasing role in everyday life and are at the heart of their communities. They are also an important part of our local and national heritage. For these reasons we must protect them for the future.

The Heritage Lottery Fund's Grants for Places of Worship programme (GPoW) funds urgent structural repairs to Grade I, II* and II listed places of worship. As part of eligible repair projects HLF

can also fund improvements to facilities and activities that help more people get involved with these wonderful buildings.

Full guidance on the requirements of the Grants for Places of Worship programme and how to apply can be found on the Heritage Lottery Fund (HLF) website at <http://www.hlf.org.uk/looking-funding/our-grant-programmes/grants-places-worship-england>

HLF Guidance clarifies HLF's requirements in relation to procurement and all applicants should make sure that they are aware of the full guidance.

This guidance note is in addition to HLF guidance and deals specifically with the practical issue of procurement. It attempts to address some of the questions frequently asked by applicants and their professional advisers.

This guidance is issued by the Church Buildings Council under section 55(1)(d) of the Dioceses, Mission and Pastoral Measure 2007. As it is statutory guidance, it must be considered with great care. The standards of good practice set out in the guidance should not be departed from unless the departure is justified by reasons that are spelled out clearly, logically and convincingly.





Guidance on buying goods, works and services

Procedures to recruit consultants and contractors must be fair and open and keep to the relevant equality legislation. In all applications, regardless of level of funding, HLF will ask you to provide details of

the procurement (buying), tendering and selection process for all parts of your project. If you are unsure about your obligations you might wish to take professional or legal advice. If you have already procured goods, works or services, you will need to explain how you did it. HLF cannot pay

your grant if you have not followed the correct procedure as per the HLF guidance.

Tendering procedures

The table* below summarises the HLF procurement requirement depending on the value of the contract to be procured:

| Contract Value | Tendering procedure | Practical note |
|---|--|---|
| Below £10,000 excluding VAT | Obtain 1 quote | |
| £10,000 - £50,000 excluding VAT | Obtain 3 competitive tenders or quotes | You must provide proof of competitive tendering procedures. Your proof should be a report on the tenders you have received, together with your decision on which to accept. You must give full reasons for your choice if you do not select the lowest tender. However, decisions do not need to be made on cost alone. Instead they should be based on value for money which should take into account other factors such as quality and experience |
| Over £50,000 excluding VAT | Follow a competitive tendering process by advertising the tender opportunity publicly (in relevant journals and/or on a suitable website) | |
| Over £164,176 excluding VAT (Current OJEU threshold for services contract) | Competitive tendering process in accordance with EU rules | |
| *All grant holders must obtain their own legal advice and check whether they are subject to Public Contracts Regulation 2015 and therefore subject to additional requirements set out in the Regulation 2015 for sub-threshold contracts. | | |

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European Union (EU) procurement rules

Given the maximum GPoW grant award of £250,000 it is extremely unlikely that your project will meet the thresholds that require you to apply European Union (EU) procurement rules. However, further information about these thresholds and the European Union (EU) procurement rules can be found in the HLF guidance. It is also advisable for you to seek your own legal advice in this regard.

FAQs

Why are the Heritage Lottery Fund making us do this?

Grants made by HLF are considered to be public funding and therefore HLF must abide by Cabinet Office guidance in terms of how grant money is disbursed. 'Managing Public Money' sets out the Government's approach and expectations and the particular requirements that guide HLF and other public organisations with regard to procurement can be found in Annex A4.6. As part of this, HLF must ensure that

it follows public procurement guidance and best practice and encourages grant recipients to do the same. These regulations are designed to ensure fair competition in bidding for publicly funded contracts. All grant-aided projects should also demonstrate that value for money will be achieved.

'Managing Public Money' can be accessed at <https://www.gov.uk/government/publications/managing-public-money>

We are volunteers and have no prior experience of tendering for goods or services. Do we really have to do this?

HLF is acutely aware that many grant recipients are volunteers and may not have experience of procurement or the building industry. This is why HLF has provided guidance in the simplest form possible. However, if you need help from a professional (e.g. a solicitor or a quantity surveyor) to advise on the procurement of a building contractor then HLF may be able to take this cost into

account as part of your grant application.

We sought three quotes from professional advisers before we appointed the current one but we didn't use a formal tendering process. Is this OK?

As long as your decision-making process was fair, open and competitive and was properly documented it should satisfy HLF procurement requirement. Please seek further advice from HLF officers.

We chose an architect/building surveyor from the DAC's approved list. Does this count as competitively tendering?

No, as there was no element of competitive tendering in this process nor a process of comparing the skills, experience and costs related to a range of professional advisers.





Our professional adviser has already drawn up the specification for the job. If they are not appointed through a new tendering process won't someone else have to repeat this work?

The RIBA advises that it is good practice for a client to be granted a licence for such material so that it can be used by the new adviser. If you have to pay for the work already undertaken, we recommend that you make sure you are entitled to pass it on to your new professional adviser. You should make clear in your tender exercise that the specification is available and that tenderers should take this into account in their bid. This should mean that you don't end up paying for this element twice. Making amendments to existing documentation by the new adviser will be eligible for grant funding.

The new phase of repair work will follow on directly from the previous phase. If we competitively tender for the professional adviser this will cause a delay and may end up costing

more as a result. Do we still need to competitively tender?

It depends on whether the professional adviser was competitively appointed in the first instance and whether any potential for additional work was mentioned in the original tender. If not, then you may have to carry out a tendering procedure but please discuss your circumstances with HLF officers.

What if my professional adviser is the cheapest around and is therefore very likely to get the job anyway if we competitively tender?

This may not be enough to satisfy the HLF procurement requirement and depending on the overall value of the contract you may need to choose a correct tendering exercise.

Can our current professional adviser help us with the procurement process?

Yes, as long as they are not intending to bid for the work themselves.

What factors should be taken into account when conducting a tender

process and making an appointment?

As well as price, the procurement process should take account of qualifications, relevant experience/knowledge and resources. It could also take account of quality of service, communication skills, understanding the needs of the client and any other of issue that would have a bearing on cost effectiveness and success of the project. You will need to be able to demonstrate the factors you have taken into account and how you have arrived at a decision to appoint.

Further information and template documents for appointing a professional adviser can be found on the Historic England website at <http://historicengland.org.uk/services-skills/grants/our-grant-schemes/procurement-regulations/professional-adviser-appointment/>

Information and template documents for awarding a building contract can be found on the Historic England website at <http://historicengland.org.uk/services-skills/grants/our->





[grant-schemes/procurement-regulations/advertising-seeking-tenders-building-works/](#)

We wish to advertise the contract. How do we do this?

You may advertise in appropriate local/regional press or journals or online or both. This might include relevant trade journals or general press that carry similar advertisements and are likely to be seen by potential candidates.

Churchcare offers a free online service on their website at

<http://www.churchcare.co.uk/churches/advertising-for-professionals>. Contract opportunities may also be advertised on the Government's Contract

Finder website at <https://www.gov.uk/contracts-finder>. Please note that if you are subject to Public Contracts Regulation 2015 you may be required to advertise on Contracts Finder if you decide to procure the contract openly.

What happens if we only receive one or two responses to our advert?

As long as you have advertised the tender in an appropriate place and have allowed sufficient time for responses this should be acceptable. However, bear in mind that the tender proposal that you accept will need to meet your stated in the tender documentation criteria.

We would like to appoint someone who is not conservation accredited. Is this acceptable?

No, the current HLF requirements for the Grants for Places of Worship scheme stipulate that the main professional adviser must be conservation accredited.

What if the fee for the main professional adviser for the project is under £10,000?

Contracts under £10,000 in value do not need to be competitively tendered and you can directly award the contract to a chosen adviser. However, HLF would still expect you to demonstrate that you have achieved good value for money.

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