

Report sponsor: Strategic Director of Corporate Resources
Report author: Democratic Services Officer

Amendments to the Standing Advisory Council on Religious Education (SACRE) Constitution

Purpose

- 1.1 The Standing Advisory Council for Religious Education (SACRE) is a statutory body that oversees the delivery of Religious Education in Derby and Derbyshire. Section 390 of the Education Act 1996 requires the Council to constitute a Standing Advisory Council for Religious Education (SACRE), to advise them on matters concerned with the provision of Religious Education and Collective Worship in community and foundation schools which do not have a religious character.
- 1.2 The SACRE is required by law to be made up of four sub-groups in order to bring a wide range of interests and talents to its work and to reflect local communities, these categories are:
 - Group A: Christianity and Other World Faiths
 - Group B: The Church of England.
 - Group C: Teachers' professional associations.
 - Group D: Elected members of the Council
- 1.3 The current SACRE constitution states that five members of Group A (Christianity and Other World Faiths) are required to attend a meeting in order for the meeting to be quorate. For Groups B, C and D only one member from each group is required to attend a meeting in order to achieve quoracy.
- 1.4 Derby and Derbyshire SACRE has been unable to meet during the 2021/22 municipal year due to quoracy issues. Members of SACRE have been consulted and have agreed that the quorum for Group A should be reduced to ensure that future meetings can take place.
- 1.5 During this review of the SACRE constitution it became apparent that the section of the constitution relating to the appointment of a Clerk to the SACRE also needed to be amended.

Recommendations

- 2.1 To agree the amendment at paragraph 33 of the Draft SACRE Constitution. That the quorum for Group A (Christianity and Other World Faiths) is reduced to one.
- 2.3 To agree the amendment at paragraph 41 of the Draft SACRE Constitution. That the Monitoring Officer shall appoint the Clerk to the SACRE.

Reason

- 3.1 To ensure that SACRE meetings are quorate and are able to take place on a regular basis.
- 3.2 To ensure that an appropriate Clerk to the SACRE is appointed.

Supporting information

- 4.1 An exercise was undertaken in 2020 to recruit new members to the SACRE and to renew the memberships of existing SACRE members. This exercise was successful and led to a significant increase in the number of SACRE members. Despite this, the SACRE has been unable to meet during the 2021/22 municipal year due to quoracy issues.
- 4.2 The current SACRE constitution states that five members of Group A (Christianity and Other World Faiths) are required to attend a meeting in order for the meeting to be quorate. For Groups B, C and D only one member from each group is required to attend a meeting in order to achieve quoracy.
- 4.3 It is proposed that the quorum for Group A (Christianity and Other World Faiths) is reduced to one. This will create consistency across the four SACRE sub-groups and will ensure that future SACRE meetings are able to take place.
- 4.4 There is a precedent for having a quorum of one for Group A (Christianity and Other World Faiths). Many SACREs across England have constitutions that only require one member from each of the four sub-groups to attend meetings. These SACREs include: West Sussex, Waltham Forest, Lincolnshire, Wolverhampton, Darlington and Northamptonshire.
- 4.5 The National Association of Standing Advisory Councils on Religious Education (NASACRE)'s advice on SACRE constitutions states that 'Given the peculiar nature of voting on SACREs, the constitution will set out what is needed for SACRE to be quorate, this would always mean that at least one member of each Group is present – in line with statute.' Reducing the quorum for Group A will therefore still ensure that the Council meets its statutory duties and adheres to the NASACRE's advice.
- 4.6 During this review of the SACRE constitution, it became apparent that the section of the constitution relating to the appointment of a Clerk to the SACRE also needed to be amended. The current constitution states that the SACRE Clerk will be the Director of Governance, a role that no longer exists. It is officer's opinion that it would be more appropriate for the Clerk to be appointed by the Council's Monitoring Officer.

Public/stakeholder engagement

- 5.1 Members of the SACRE have been consulted on the proposed changes and all responses have been in support of making the suggested amendments to the SACRE Constitution. Members of all four sub-groups have expressed their support for the suggested amendments.

Other options

- 6.1 Continuing with the current SACRE Constitution. This risks further meetings being inquorate which would be detrimental to the important work of the SACRE.

Financial and value for money issues

- 7.1 None arising directly from this report.

Legal implications

- 8.1 Section 390 of the Education Act 1996 requires the council to constitute a Standing Advisory Council for Religious Education (SACRE), to advise them on matters concerned with the provision of Religious Education and Collective Worship in community and foundation schools which do not have a religious character.

Section 390(4) of the Education Act 1966 sets out that SACREs shall consist of such groups of persons appointed by the Council as representative groups:

- A group to represent the Christian denominations and other religions that in the opinion of the council appropriately reflect the principal religious traditions of the area;
- A group to represent the Church of England;
- A group to represent associations representing teachers, who in the opinion of the council ought to be represented having regard to the circumstances of the area;
- A group to represent the council.
- SACRE may also co-opt members as required.

The numbers in each group should broadly reflect the proportional strength of denominations or religions in the area, so far as is consistent with the efficient discharge of the group's functions.

On any question to be decided upon by SACRE only the aforementioned groups shall be entitled to vote; with one vote per group.

Climate implications

- 9.1 None arising directly from this report.

Other significant implications

- 10.1 None arising directly from this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu - Head of Legal Services	15 October 2021
Finance	N/A	
Service Director	Emily Feenan - Director of Legal, Procurement and Democratic Services and Monitoring Officer	15 October 2021
Report sponsor	Simon Riley - Strategic Director of Corporate Resources	16 November 2021
Other(s)	Alex Hough – Head of Democracy	15 October 2021

Background papers:	NASACRE – SACRE Constitution
List of appendices:	Appendix 1 - Draft SACRE constitution