

ITEM NO: 6, APPENDIX 1

Constitution Clarification

At the SACRE meeting held on 8 March 2010, Item no 6, "Adoption of SACRE Constitution" the Group requested clarification on three particular issues before the Constitution could be agreed. Advice has now been received, with the following points to note:

- (i) **That the wording and sense of paragraph 9.12 concerning the status of observers and their rights to address the SACRE;**

Meetings of the SACRE are open to the public unless members resolve that an item of business be considered in private session and with such items of business the principles of the Local Government (Access to Information) Act 1985 will apply.

Members of the public do not have a right to speak at any meeting of the SACRE but may address the SACRE at the discretion of the Chair.

- (ii) **That the issue of confidential business was discussed and it was noted that should members of the Press and public be required to leave a SACRE meeting at any point, there would be a need for this to be indicated in advance on the agenda;**

Report authors are responsible for informing the clerk, in advance, of the status of reports to be included on the Agenda and if they contain confidential or commercially sensitive information and with such items of business, the principles of the Local Government (Access to Information) Act 1985 will apply. Reports that are to be treated as confidential should be marked accordingly and contain the appropriate confidentiality clause.

Where an item of business before the SACRE is marked as confidential, that item of business will be discussed in private. The professional advisors to the SACRE may attend and speak at the SACRE meetings on consideration of all matters considered in private. Members of the public and observers (including other elected Members or Officers of the Council) shall be excluded from the consideration of any confidential item.

- (iii) **That paragraph 9.3 was queried with regard to the representatives for Academy schools and a discussion took place around co-opted members and representatives from other school groups;**

Foundation schools should NOT be specifically included. They are effectively covered elsewhere as they are maintained schools (in common with community and Voluntary schools) and are thus represented by other groups already present on the Committee. Academies are included (for non voting purposes) simply because they are not technically represented by any other group and deliver part of the public sector curriculum (albeit with a different status to maintained schools) and effectively replace the old concept of GM schools.