

SOUTHAMPTON CITY COUNCIL
STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)
Proposed CONSTITUTION November 2021

1 AIM

1.1 The aim of the SACRE is to provide advice to the Authority upon such matters connected with collective worship in schools, and the religious education to be taught in accordance with an agreed syllabus.

In Southampton, SACRE will also liaise with academy and free schools not required to teach the Locally Agreed Syllabus, but a syllabus of their choosing, so as to provide overview of matters connected with collective worship and religious education across maintained, academy and free schools in the city to support best practice identification and raise concerns if needed.

2 OBJECTIVES

2.1 The core objectives of the SACRE are:

- to provide independent consultation and detailed scrutiny on any matters within its scope of interest;
- to determine any application from the head teacher of a maintained school, following consultation with the governing body, for an amendment to the requirement that collective worship be wholly or mainly of a broadly Christian character;
- to publish an annual report which:
 - i. specifies any matters on which the SACRE has advised the Authority;
 - ii. broadly describes the nature of that advice; and
 - iii. sets out its reasons for offering advice on any matters which were not initially referred to the SACRE by the Authority.

In addition to making the report available for public inspection, a copy shall be sent to the relevant Government Department and to the National Association of SACREs (NASACRE) as well as any other organisations the SACRE deems appropriate.

- To ensure that any complaints made to SACRE regarding RE or Collective Worship in schools are managed in accordance with Southampton City Councils complaints process.

3 SCOPE OF INTEREST

3.1 The scope of interest of the SACRE shall include:

- any such matters connected with collective worship in City schools, and the religious education to be taught in accordance with an agreed syllabus as the Authority may refer to the SACRE, or as the SACRE may consider appropriate; and
- the statutory duty of the Authority to review its agreed syllabus every five years and to convene an Agreed Syllabus Conference.

4 RELATIONSHIP OF THE SACRE WITH THE LOCAL AUTHORITY

- 4.1 The SACRE will have a separate identity and independent voice within the arrangements. The SACRE should be consulted by the Local Authority on any issues falling within its scope of interest.

5 ACCOUNTABILITY AND BUSINESS PLANNING

- 5.1 The SACRE is independent of the Council. The Education Reform Act 1988 requires the City Council as a Local Authority to establish a SACRE. When reports and actions are required that need to be considered by the Council they will be formally considered by the Cabinet or Cabinet Member or Officer acting under delegated powers.

6 LEGAL FRAMEWORK

- 6.1 The SACRE is established pursuant to the Education Reform Act 1988.
- 6.2 To facilitate the effective operation of the SACRE in accordance with its aims, the SACRE will respond as necessary to any further government guidance, legislation or new initiatives impacting upon the areas of responsibility of functions of the SACRE.

7 THE ACTIVITIES OF THE SACRE

- 7.1 In pursuit of its aims the SACRE will:
- operate to a timetable that mirrors the municipal year of the Local Authority.
 - hold meetings (including extraordinary meetings) at a time of day and at an appropriate location to allow full participation by members:
 - i. at the Civic Centre and/or other venues;
 - ii. at the end of the school day;
 - iii. or otherwise notified to SACRE members five clear working days before each regular meeting.

- hold its meetings at least once per term, no less than three times per year;
- require at least one member from each voting group to be present to constitute a quorum in order to have a fully constituted meeting;
- always seek to operate on a consensus basis. If it is not possible to reach a consensus, members will be required to undertake a formal vote as set out in paragraph 12 of this Constitution;

review and recommend to Cabinet (Cabinet Member) any amendments to its Constitution on an annual basis following a formal consultation process with the relevant parties;

- review and adopt the terms of reference for any sub-committees on an annual basis at the first meeting of each financial year following a formal consultation process with the sub-committees;
- keep a written record of all SACRE meetings and meetings of any sub-committees;
- any member of the SACRE may submit items to be included on the agenda of a main meeting of the SACRE supported by a written statement/report to the Chair at least 10 working days before the meeting;
- agenda and reports will be circulated generally at least five working days prior to the meeting;
- create sub-committees where necessary;
- be able to ask that the Local Authority consider holding an extraordinary meeting of the SACRE at the written request of at least one member.

Confidential Business

- 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.

8 FREEDOM OF INFORMATION

- 8.1 Request for Information under the Freedom of Information Act will be handled in accordance with the Council's published procedures for dealing with such requests.

Any Member of the SACRE receiving a request under the FOIA will be required to pass that request to Legal & Democratic Services within 24 hours of receipt of that request in order that Legal & Democratic Services may deal with the request on behalf of the SACRE within the 20 working day time limit.

Where a request has been made for the disclosure of information covered by a qualified exemption under the Freedom of Information Act 2000 (or other relevant information), the Chair, vice-chair and professional adviser of the SACRE will be invited to attend a Public Interest Test Panel meeting to consider the potential disclosure. If the Chair, vice chair or professional adviser are unable to attend the meeting the request will be dealt with by the Panel at their discretion. Where the Panel decides that the balance of interest is in favour of the disclosure of the information requested, Legal & Democratic Services will arrange for disclosure. Where the Panel decides that the balance is in favour of the non-disclosure of the information requested, the information requested will be withheld and Legal & Democratic Services will arrange for the reasons for the decision to be communicated in writing. Such decisions will be made after taking any appropriate legal advice in accordance with the Council's published policies and procedures.

9 MEMBERSHIP

- 9.1 The SACRE shall comprise members drawn from four groups, appointed by the Authority, as specified below:

GROUP A

One representative of each of the religions and other bodies listed below:

Christian Denominations

The Roman Catholic Church	The Methodist Church
The Baptist Union	The United Reformed Church
The Religious Society of Friends	The Assemblies of God
The Greek Orthodox Church	The Salvation Army
The Fellowship of Independent Evangelical Churches	
Southampton City Mission	

Religions other than Christianity

Judaism	Islam
Hinduism	Sikhism
Buddhism	Baha'i

Other bodies

Appointed representative for people with non-religious affiliation or belief not represented by any other membership group

GROUP B

Four representatives of the Church of England nominated by the Diocese of Winchester

GROUP C

Four teachers/ retired teachers representing associations recognised by the Authority for the purposes of consultation and negotiation with one representative per association.
National Education Union (NEU), National Association Schoolmasters and Union of Women Teachers (NASUWT), National Association of Head teachers (NAHT), Association of School and college leaders (ASCL).

GROUP D

Four representatives of the Southampton City Council, at least two of whom shall be elected members of the City Council.

- 9.2 In addition to members drawn from these four groups detailed above, one person appointed in respect of the Academies and free schools operating in the City of Southampton which previously had Community or Voluntary status may sit as a member of the SACRE. 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 Government Maintained schools. Foundation schools are not specifically included because 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.
- 9.3 The SACRE may co-opt additional persons, including such teachers as may be necessary to ensure adequate representation of teachers who are actively concerned with religious education. Co-options shall be for the period set by the SACRE.
- 9.4 Members of the SACRE, with the exception of co-opted members and the non-religious affiliate member, shall be appointed for a period of four years.
- 9.5 In accordance with regulations, the Local Authority will review the membership of the SACRE on an annual basis in line with the Constitutional review, and may terminate the membership of any member of the SACRE by giving one month's written notice.
- 9.6 In addition to the term of office coming to an end, a member ceases to be a member of the SACRE if he or she resigns from the SACRE or no longer occupies the office which he or she was nominated to represent.
- 9.7 A member of the SACRE appointed by the Authority may be removed from membership by the Authority at any time if, in the opinion of the Authority, the person ceases to be representative of either the denomination, religious group, association or Academy which he/she was appointed to represent.
- 9.8 Subject to condition 9.7, above, members of the SACRE having served a full term are eligible for re-appointment.
- 9.9 The SACRE will receive support and advice from the Local Authority School Improvement Officers.
- 9.10 At the discretion of the Chair of the SACRE, Advising Officers can attend SACRE meetings. Advising Officers provide information and professional expertise but are not members of the SACRE and cannot vote.
- 9.11 The Executive Director Wellbeing, and the Executive Member with responsibility for the SACRE shall have a standing invitation to attend all SACRE and sub-committee meetings but are not members of the SACRE and cannot vote. At the discretion of the Chair they may address the meeting.

- 9.12 At the discretion of the Chair of the SACRE, Observers can attend SACRE meetings. Observers are interested individuals who have been invited to attend SACRE meetings. At the discretion of the Chair of the SACRE observers can address the meeting but they are not members of the SACRE and cannot vote.

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. Members of the public do not have rights to vote.

10 ELECTION AND NOMINATION OF SACRE MEMBERS

- 10.1 Members of the SACRE are responsible for the method by which they elect and nominate their representatives, and each **faith** representative group within the SACRE will be responsible for the method by which they elect their representatives.

- 10.2 The membership of existing schools members is valid until such members' terms of office come to an end or they resign or they become otherwise ineligible for membership. When a vacancy does arise, the authority must appoint a replacement schools member to the SACRE to represent the same group as the retiring member.

- 10.3 Nomination of the **individual representative** members is by a process of supported nomination from the body the person will be representative of. The SACRE will formally endorse membership by a simple majority vote at the next available meeting of the SACRE.

10.4 In respect of new **faith representative groups** seeking a member place – the group the member would join will need to vote to recommend the addition to the Local Authority. **The chair will take the SACRE recommendation forward to Executive member for Wellbeing for consideration and decision. This will occur at the start of each academic year, prior to the first SACRE meeting.**

10.5 Application to the SACRE to be considered for the No religious affiliation or belief representative can be made by any person who considers themselves as such and will require them to demonstrate how they will be able to positively contribute to the work of Southampton SACRE and the meeting of its statutory duties. This process will be developed through 2022, undertaken by a sub-committee prior to the first SACRE meeting of the academic year. This representative's membership will be reviewed annually and will be for the same, full academic year. At the end of the year re-application can be made by the same person. This representative will have full voting rights within group A

11 MEETINGS

11.1 Meetings of the SACRE shall be held in public.

12 **VOTING**

12.1 On any matter to be decided by the SACRE, the four groups A, B, C, and D shall be entitled to vote and each group shall have a single vote. The Academies' representative and the co-opted members do not have a vote.

12.2 Decisions within a group about how the vote is to be cast **do not require unanimity**. Each group is to regulate its own proceedings, including provision for resolving deadlock.

12.3 In the event of a tied vote, the Chair shall have the casting vote.

13 **CODE OF PRACTICE**

13.1 Members of the SACRE will operate in accordance with the Local Code of Conduct for Members. Members are therefore required to sign a declaration in respect of the Code of Conduct and also complete a Register of their Interests.

13.2 Interests, whether personal or prejudicial, should be declared. If a member has a prejudicial interest they should declare that interest and withdraw from the meeting and take no part in the decision.

13.3 Members who fail to attend three consecutive meetings without a satisfactory explanation will have their membership reviewed by the SACRE.

14 **CHAIRING**

14.1 The Chair and Vice Chair will be appointed from the members of Groups A, B, C and D. Such appointments shall be for the Municipal Year or until the person appointed ceases to be a member of the SACRE, whichever is sooner.

14.2 Persons continuing to be members of the SACRE are eligible for re-appointment to the position of Chair or Vice Chair.

15 **SERVICING THE COMMITTEE**

15.1 The specific responsibilities of the Chair and Members of the SACRE will be as set out in this Constitution and the Education Reform Act 1988.

15.2 The specific responsibilities of meeting support of the City Council will be to:-

- convene meetings of the SACRE;
- arrange accommodation for meetings;

- co-ordinate and act as secretariat to meetings;
- copy, circulate and dispatch appropriate papers; and

Democratic services will provide appropriate guidance on the operation of local government and other relevant procedures.

15.3 The specific responsibilities of the Professional Advisors to the SACRE will be to:

- provide advice to the SACRE and any sub-committee(s) on professional issues; and
- advise and update SACRE members on any new government guidance or policy documents.
- Support SACRE members in their monitoring role
- Ensure that the review of the Locally Agreed Syllabus is carried out within statutory timescales

16 **DISPUTES AND COMPLAINTS**

16.1 The SACRE is intended to be a collaborative, co-operative body and needs to ensure that no particular sector or member is unduly favored. Problems and issues should normally be debated and resolved at the SACRE meetings. However, if parties feel that these have not been resolved, the following process should be followed and minutes taken.

16.2 Stage 1: The parties who are in dispute meet with the Chair of the SACRE and the Professional Advisor who will assist in finding or recommending a solution.

16.3 Stage 2: A special meeting of the SACRE is convened, with papers prepared by the parties representing different views. The Chair and the Professional Advisor also prepare a paper offering possible options for resolution. If the problem is not resolved, the dispute is referred to Stage 3.

16.4 Stage 3: If the issue is not resolved then guidance or clarification will be sought from the relevant Government Department.

16.5 Complaints from members of the public will be handled by the Council's Complaints Procedure.

17 **NON COMPLIANCE OF ACTIVITIES**

17.1 Issues of non-compliance will, in the first instance, be referred to the Chair of the SACRE who will investigate and attempt to reach satisfactory resolution through discussion with the representative of the agency concerned. In the event of satisfactory resolution not being reached, the matter will be referred to the next SACRE meeting.

18 **MONITORING AND INSPECTION**

18.1 The effectiveness of the SACRE will be assessed by Internal Review.

OVERVIEW AND SCRUTINY

18.2 The SACRE and its members will co-operate with any reasonable request by the Council in respect of its overview and scrutiny functions under Section 21 Local Government Act 2000. Any requests for information or attendance of SACRE members at the relevant overview and scrutiny committee will be made as soon as possible and generally at least 10 days before the meeting.