

SACRE CONSTITUTION

- STATUS AND RECOMMENDATION TO SACRE

There has been some confusion about SACRE's Constitution or Terms of Reference. This document attempts to summarise the position, and to recommend a way forward for the approval of SACRE.

Background

In April 2017, the then SACRE Clerk¹ provided the document set out in Annex 1 in response to a request for a copy of the SACRE Constitution.

The SACRE meeting in June 2013 had considered the Constitution and made some recommendations, which it seems were partially approved later by the Full RBWM Council². The relevant section of the SACRE minutes from the June 2013 meeting are set out in Annex 2.

In November 2017, the same SACRE Clerk confirmed that the document set out in Annex 1 "should be considered as the current SACRE constitution" as it incorporated changes that were agreed in 2013. "I've looked at an old version that pre-dates the June 2013 SACRE meeting and the terms of reference don't make any reference to Buddhist or Bahá'í representation in Group A", he wrote.

There seem to be two sets of reasons why action now needs to be taken to clarify the position:

- **Inconsistencies and apparent errors in the existing SACRE Constitution (as set out in Annex 1)**
- **SACRE's June 2013 recommendations on aspects of SACRE membership seem to have been overlooked.** Are those recommendations still SACRE's view? If so, should they be submitted or re-submitted to the RBWM Full Council for consideration?

Annex 3 sets out some of the inconsistencies and apparent errors, as well as the SACRE recommendations which do not seem to have been included (or possibly were not approved by Full Council?).

Proposed Way Forward

It seems important that SACRE has a clear and unambiguous constitution.

A draft updated SACRE Constitution is set out in Annex 4.

It is proposed that SACRE discusses this proposed Constitution at its March 2019 meeting, and then submits it (amended if necessary) for approval by the Full RBWM Council.

¹ Andy Carswell

² The SACRE Minutes for its March 2014 meeting include this: "The SACRE noted that the RBWM Constitution had updated the SACRE's terms of reference to include within the membership representatives of the Buddhist and Bahá'í faiths".

ANNEXES

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ANNEX 1 – CONSTITUTION PROVIDED APRIL 2017

F22 **SACRE (Standing Advisory Council on Religious Education)**

F22.1 Purpose:

Constitution

The Standing Advisory Council on Religious Education (SACRE) is established in accordance with Section II of the Education Act 1988 (as amended by Section 255 of the Education Act 1993) by the Royal Borough of Windsor and Maidenhead acting as the local education authority.

Duties and Powers

- a) The SACRE shall advise the authority on such matters connected with religious worship in country schools and the religious education to be given in accordance with an agreed syllabus in County and Controlled Voluntary schools as the authority may refer to it or as it may see fit.
- b) SACRE shall in particular advise on methods of teaching, the choice of materials and the provision of training for teachers.
- c) The SACRE shall on an application made by a headteacher of any county school after consultation with the governing body, consider whether it is appropriate for the requirement for Christian collection worship to apply in the case of that school, or in the case of any class or description of pupils at that school. The SACRE shall arrive at its decision and communicate it to the headteacher in accordance with the provisions of Section 1 of the Education Reform Act 1998.
- d) The representative groups on the SACRE, other than that representing the authority, may at any time require a review of any Agreed Syllabus for the time being adopted by the authority.
- e) The SACRE shall, each year, publish a report on its proceedings and those of its representative groups. The report shall specify any matters on which the SACRE has given advice to the authority and the reasons for offering the advice.
- f) The SACRE shall take any action assigned to it by the authority in relation to the consideration and disposal of any complaint concerning collective worship religious education in compliance with Section 23 of the Education Reform Act 1988.

F22.2 Membership

The members of SACRE (other than co-opted members) shall be appointed by the authority so that they shall represent the following groups:

Group A - Christian denominations and other religions

The Free Churches - 3
The Roman Catholic Church - 1
Hinduism - 1
Islam - 1
Judaism - 1
Sikhism - 1
Buddhist – 1
Baha'i - 1

Group B

The Church of England – 3

Group C - Associations representing teachers

NUT - 1
NAS/UWT - 1
NAHT - 1
SHA - 1
ATL - 1
PAT - 1

Group D

The local authority - 3

Terms of Office

- a) Members of the SACRE shall serve from the date of their appointment until their successors are appointed by the authority. They shall be eligible for reappointment.
- b) Any member who fails to attend 3 consecutive ordinary meetings of the SACRE other than for a reason approved by the SACRE shall cease to be a member.
- c) The validity of the proceedings of the SACRE, or of any of its representative groups, shall be affected by a vacancy in the membership or on the grounds that a member does not at the time represent the domination, religion or associate he or she was appointed to represent.

Procedure

The SACRE shall elect annually at its first meeting of the academic year, a Chairman and a Vice-Chairman from among its members by voting in accordance with Clause 4.

F22.3 Quorum: 5 Members

F22.4 Frequency: Three times per year

ANNEX 2 – EXTRACT FROM SACRE JUNE 2013 MEETING MINUTES

authority at the end of March and RBWM systems were focused on maintained schools. Councilor Airey suggested that if it could be done then it could open up new avenues, facilities and views. Jo Fageant suggested that as the courses were organised by the Diocese they may be able to help with administration.

Minute No. 9 – Karen Butler indicated that a couple of issues needed resolving by Jo Fageant before the annual Report could be finalised for circulation.

Jo Fageant

Minute No. 10 – Jo Fageant reported that work on the contact list was ongoing. Hilary Harris advised that the synagogue had a co-ordinator who could make arrangements as necessary. Jo Fageant emphasized the need to have generic contact details, email addresses and telephone numbers where possible as personal information tended to change more regularly. The importance of regular updates was also highlighted to ensure information was up to date.

Jo Fageant

Constitution/Membership Update

The Forum noted that the membership issues had been largely agreed under the matters arising item. Jo Fageant then circulated the current constitution and membership document for SACRE including comments on aspects that needed consideration. The forum was reminded that the constitution was based around the original Berks SACRE document.

It was suggested that:

- A membership period of four years should be introduced
- Relevant changes should be made to the wording to reflect that it covered the Borough only.
- The definition and membership of the Groups should be updated.
- Under the procedure section Clause 4 should be included in more detail to clarify the voting process.

Jo Fageant clarified for representatives that the Duties and Powers were set down in law and it was acknowledged that these had not changed in respect of SACREs in line with other changes in local government structures.

The forum agreed that it would be beneficial to update the wording to reflect that it related to the Borough only. A number of other typographical errors were also identified.

Jo Fageant then outlined the groupings and explained that specific rules/legislation were in place as to how these were defined. It was indicated that it could reflect the percentage of each faith in the community although it was not clear how the current breakdown had been achieved. Jo Fageant suggested that a more equitable approach would be to use a clause relating to the membership reflecting the locally agreed RE syllabus. Hilary Harris suggested that this could allow wider representation. Jo Fageant advised that there would still be an element of control over membership as there would need to be direct links to the syllabus. The Forum agreed that this approach should be adopted.



The Forum considered the Group C nominations and that some of the associations had changed their name or were no longer relevant. It was agreed that SHA should be replaced by Berkshire Association of Secondary Heads (BASH) and PAT should be replaced by the VOICE Trade Union.

Councillor Quick asked about the position on Academies representation. Jo Fageant reminded representatives that SACRE only had a role for maintained schools and whilst partnership working was encouraged SACRE had no influence in this regard. It was acknowledged as an ongoing issue.

Councillor Airey referred to the voting procedure and quorum for meetings. It was agreed that it would be beneficial to include the wording of Clause 4 as shown in the relevant legislation to clarify the situation. Councillor Airey suggested that if the membership issues could be resolved the SACRE could gain more momentum and voting/quorum problems would not be so prevalent.

The Chairman then summarised the discussion and it was agreed that the suggestions made by Jo Fageant be incorporated into a revised constitution for consideration by Council. It was agreed that the procedure for approval of the document would need to be clarified.

Jo Fageant
Simon Wright

6 Budget Update

Members received details of the latest budget position. Karen Butler advised that a majority of the budget had now been spent and highlighted a couple of areas where there could be an underspend.

Jo Fageant suggested that there may be the possibility of using some funding towards a countywide event in June 2013 to coincide with the three yearly OFSTED report on RE in schools. An Inspector had indicated his willingness to give a presentation and talk through issues with delegates. The estimated cost for such an event was approximately £250 per SACRE. A number of representatives expressed support for this initiative as previous ones had been very beneficial.

Karen Butler clarified, in response to Councillor Airey, that the adviser/clerical support was a recharge.

The Panel then noted the Budget position and expressed support for an event in June 2013.

Forward Plan - Where to from here?

Members discussed the future focus on the group, now that the syllabus had been launched.

ANNEX 3 – COMMENTS ON THE EXISTING SACRE CONSTITUTION

Inconsistencies and Apparent Errors

The legislation references in the opening paragraph need to be checked. It should probably be the 1996 Education Reform Act rather than the 1966 Education Act?

What is the reference to “country schools”?

What are “county and Controlled Voluntary” schools?

There is no mention of Academy schools?

The impact of the item Terms of Office –(c) is unclear. Surely SACRE proceedings do not become invalid if there is a membership vacancy?

The Procedure for re-election of the Chair and Vice-Chair “in accordance with Clause 4” – but what is that referring to?

Is the Quorum really just five members? Our actual procedure has been to declare the meeting quorate when there is at least one representative from each of the four membership Groups.

Why is the document “F22”? While the SACRE is appointed by the RBWM Council, it is not a Council sub-committee but an independent body, which should have a free-standing constitution.

SACRE recommendations not reflected in the Constitution

In June 2013, SACRE recommended that Group C members needed to be updated to reflect the then current realities:

- SHA should be replaced by Berkshire Association of Secondary Heads (BASH)
- PAT should be replaced by VOICE Trade Union.

At its June 2017 meeting, SACRE recommended that the six Group C teacher representatives

- A teacher from each of the four Key Stages
- A headteacher
- An Academy teacher representative.

In 2013, SACRE accepted a recommendation from its then Adviser³ that there should be a membership term of four years (with re-appointment being a possibility).

³ Jo Fageant

ANNEX 4 – PROPOSED UPDATED SACRE CONSTITUTION

Royal Borough of Windsor and Maidenhead

SACRE (Standing Advisory Council on Religious Education) Constitution

The Standing Advisory Council on Religious Education (SACRE) is established in accordance with Section 390-397 of the 1996 Education Act (as amended) by the Royal Borough of Windsor and Maidenhead (“the authority”) acting as the local education authority.

1. Duties and Powers

- a) The SACRE shall advise the authority on matters connected with collective worship in schools within the Royal Borough and the religious education to be given in accordance with an agreed syllabus in all schools as the authority may refer to it or as it may see fit.
- b) SACRE shall in particular be free to advise on methods of teaching, the choice of materials and the provision of training for teachers. SACRE may itself offer training and support for religious education teachers, and for those responsible for arranging collective worship, in the Royal Borough’s schools.
- c) The SACRE shall on an application made by a headteacher of any school within the Royal Borough, after consultation with the governing body, consider whether it is appropriate for the requirement for collective worship to be of a wholly or broadly Christian character to be disapplied in the case of that school, or in the case of any class or description of pupils at that school. The SACRE shall arrive at its decision and communicate it to the headteacher in accordance with the provisions of Section 1 of the Education Reform Act 1998.
- d) The representative groups on the SACRE, other than that representing the authority, may at any time require a review of any Agreed Syllabus for the time being adopted by the authority.
- e) The SACRE shall, each year, publish a report on its proceedings. The report shall specify any matters on which the SACRE has given advice to the authority and the reasons for offering the advice.
- f) The SACRE shall take any action assigned to it by the authority in relation to the consideration and disposal of any complaint concerning collective worship or religious education in compliance with Section 23 of the Education Reform Act 1988.

2. Membership

The members of SACRE (other than co-opted members) shall be appointed by the authority so that they shall represent the following groups:

Group A - Christian denominations and other religions

The Free Churches - 3

The Roman Catholic Church - 1

Hinduism - 1

Islam - 1

Judaism - 1

Sikhism - 1

Buddhist - 1

Bahá'í - 1

Group B

The Church of England - 3

Group C – Teacher Representatives

Key Stage 1 – 1

Key Stage 2 – 1

Key Stage 3 – 1

Key Stage 4 – 1

Headteacher – 1

Academy Representative - 1

Group D – Local Authority Representatives

Councillors - 3

3. Terms of Office and Procedures

- a) Members of the SACRE shall serve a period of four years from the date of their appointment. They shall be eligible for reappointment by the authority at the end of a term of office. They may resign at any time.
- b) Any member who fails to attend 3 consecutive ordinary meetings of the SACRE other than for a reason approved by the SACRE shall cease to be a member. Substitutions for absent members shall not be permitted unless with the approval of the SACRE.
- c) The quorum shall be 5 members, with each Group represented by at least one member.
- d) The validity of the proceedings of the SACRE, or of any of its representative groups, shall not be affected by a vacancy in the membership or on the grounds that a member does not at the time represent the denomination, religion or association she or he was appointed to represent.
- e) The SACRE shall elect annually at its first meeting of the academic year, a Chairman and a Vice-Chairman from among its members.
- f) The SACRE shall meet three times per year, or more frequently as determined by the SACRE.
- g) SACRE will always seek to find a consensus satisfactory to all members, and strive for unanimity. In the event that this is not possible, and that a decision must be made, then a vote shall be held. Each Group shall have one vote. In the event of a tied vote, the decision of the Chairman shall be final.
- h) SACRE may invite up to three individuals to serve as co-opted members to assist its work. These co-opted members shall be appointed for a term not exceeding four years. They be invited to serve additional terms. They shall have no voting rights.
 - i) Any complaint about SACRE as a whole, or about individual members in the capacity as SACRE members, shall be dealt with by SACRE initially and referred to the authority where appropriate.
 - j) SACRE will be serviced by a Clerk provided by the authority and supported by an appropriate authority officer, normally the Adviser for Religious Education.