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**STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION  
REVISED CONSTITUTION**

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**Responsible Cabinet Member – Councillor Cyndi Hughes  
Children and Young People Portfolio**

**Responsible Director – Paul Wildsmith, Director of Corporate Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To consider a proposed revision to the Constitution of the Standing Advisory Council on Religious Educations (SACRE).

**Summary**

2. At a meeting of SACRE held on 16<sup>th</sup> September, 2009, it was agreed that a Sub-Group, comprising two members of SACRE, be established to consider and review its current Constitution. Following the recommendations of the Sub-Group, SACRE has now considered a revised Constitution and the approval of Cabinet is sought thereon.

**Recommendation**

3. That the proposed revised SACRE Constitution be approved.

**Reasons**

4. The recommendation is supported to ensure that the Darlington SACRE Constitution adheres to the general practice promoted by the National Association of SACRE's.

**Paul Wildsmith  
Director of Corporate Services**

**Background Papers**

No background papers were used in the preparation of this report.

Allison Carling - Extension 2291

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| S17 Crime and Disorder           | The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect. |
| Health and Well Being            | There are no issues relating to health and well-being which this report needs to address  |
| Sustainability                   | There are no sustainability issues  |
| Diversity                        | There are no diversity issues   |
| Wards Affected                   | Not applicable  |
| Groups Affected                  | Not applicable  |
| Budget and Policy Framework      | The issues contained within this report do not represent change to Council policy or the Council's policy framework.  |
| Key Decision                     | This is not a key decision  |
| Urgent Decision                  | For the purpose of the 'Call-in' procedure this does not represent an urgent decision.  |
| One Darlington: Perfectly Placed | The report has no particular implications for the Sustainable Community Strategy.   |
| Efficiency                       | There are no specific implications for efficiency.  |

## MAIN REPORT

### Information and Analysis

5. Every Local Authority is required by law to have a SACRE. The original requirement came from the Education Act 1944, but the Education Reform Act 1988 and the Education Act 1966 have strengthened this requirement.
6. Religious Education (RE) is the only compulsory subject which remains locally determined. What is taught is not decided centrally or by the Qualifications and Curriculum Authority it is the responsibility of SACRE to determine this and to publish an Agreed Syllabus. SACRE also has a duty to monitor RE provision in authorities.
7. This Council has established a SACRE in accordance with the requirement and 3 meetings are held per year.
8. The last review of the Constitution was undertaken in April 2008 (Minute C172/Feb/08 refers) and Members of SACRE felt that a further review was now required and established a Sub-Group of two Members to undertake this review and report its recommendations back.
9. The Sub-Group met on several occasions to look at the existing constitution and a draft revised constitution was submitted to SACRE for consideration on 4<sup>th</sup> February and 29<sup>th</sup> June, 2010. Although it is important to note that both of these meetings were inquorate, all of the Groups on SACRE were represented at one of these meetings and all members of SACRE were forwarded a copy of the revised Constitution and comments were sought prior to this report to Cabinet.
10. In summary, the Constitution has been revised to reflect the work in a Why?, How? and What? format, give fuller guidance on withdrawal from collective worship and religious education by certain religions and to formally agree to the use of Sub-Groups to undertake specific tasks allocated to them.
11. Changes have also been made to the membership to positively reflect the political balance of members, to cap the number of co-optees and to allow for student representation. It is proposed that the Chair will be appointed every three years as opposed to four and that amendments be made to the requirement to be quorate.
12. The changes to the Constitution are highlighted in Appendix 1 for Members ease of reference and as SACRE is a formally constituted body of this Council, approval of Cabinet is required to the revised Constitution.

**Constitution of the Darlington Borough Council  
Standing Advisory Council on Religious Education  
(With effect from 29th June, 2010)**

**Introduction**

1.1 Section 390 of the Education Act 1996 requires every local authority to constitute a Standing Advisory Council on Religious Education (SACRE). This Constitution sets out the framework within which the SACRE may function. Its content reflects what is required by the 1996 Act. The Constitution also reflects the requirement for the SACRE to broadly represent the proportionate strength of the local religious groups.

**The Powers and Duties of the SACRE**

2.1 The broad role of the SACRE is to advise the local authority upon such matters connected with religious worship in community schools and the religious education to be given in accordance with an Agreed Syllabus for RE, as the local authority may refer to the SACRE or as the SACRE itself may think fit.

2.2 The SACRE has a range of functions, some of them advisory and some of them executive.

Advisory functions:

2.3 To advise the local authority upon such matters connected with RE in community schools to be given in accordance with the Agreed Syllabus, as the local authority may refer to the SACRE or as the SACRE itself may think fit. Such matters include in particular methods of teaching, the choice of teaching materials and the provision of training for teachers.

2.4 To advise the local authority upon such matters connected with *collective* worship in community schools, as the local authority may refer to the SACRE or as the SACRE itself may think fit.

Executive functions:

2.5 To consider and determine, in accordance with Section 394 of the Education Act 1996, applications from the Head Teachers of community schools, or foundation schools which are not defined as having a religious character, that the requirement for collective worship which is wholly or mainly of a broadly Christian character should not apply in the case of the school or a particular category of pupils within it.

2.6 To consider whether a review of the existing Agreed Syllabus for RE should be undertaken.

2.7 To publish an annual report on the work of the SACRE.

## **The Composition of the SACRE**

3.1 The SACRE shall comprise of four representative committees as follows:

### **Committee A: Other Religious Faiths.**

Such Christian denominations (other than the Church of England) and other religious faiths as, in the opinion of the local authority, reflect the principal religious traditions in the area, namely: the Assemblies of God, the Baptist Church, the Methodist Church, the Pentecostal Church, the Roman Catholic Church, the Salvation Army, the Society of Friends, the United Reformed Church, Buddhists, Hindus, Islam, the Jehovah's Witnesses, Judaism and Sikhism (*1 representative for each church or religion or group*). *This list is not exhaustive and the SACRE may decide to include other representatives as the demographics of Darlington change or other groups come to the notice of SACRE.*

**Committee B: the Church of England** (3 representatives).

### **Committee C: Teachers' Associations.**

Such teachers' associations as, in the opinion of the local authority, ought to be represented, namely:

the Association of School and College Leaders (1 representative)

the Association of Teachers and Lecturers (1 representative)

the National Association of Head Teachers (1 representative)

the National Association of School Teachers/Union of Women Teachers (1 representative)

the National Union of Teachers (1 representative).

### **Committee D: Representatives of the Local Authority.**

*Elected members of the Council. The elected members represented on Committee D shall comprise of the Cabinet Member responsible for Children's Services, one other elected Member from the majority party, and one elected member from each of the other political parties comprising the Council, Independents included.*

## **Co-opted Members**

3.2 Other persons may be co-opted by the representative committees of the SACRE for such purposes and such length of time as the representative committees of the SACRE shall decide. Co-opted members may resign at any time and may be removed by the representative committees of the SACRE at any time.

3.3 Co-opted persons may participate fully in the discussions of the SACRE but may not vote.

3.4 No more than five co-opted persons shall belong to the SACRE at any one time.

## **Substitute Representatives**

3.5 Any member of any of the representative committees unable to attend a SACRE meeting may arrange for a substitute to attend on her/his behalf. However, the said substitute must fulfil the same representative criteria as the representative for whom they are deputising (see 4.1 and 4.2 below). The substitute representative will have the same voting powers as the representative in whose place they attend. Such arrangements must be notified to the Clerk to the SACRE, preferably at least one week in advance of the meeting, by the representative to be substituted.

## **Student Representatives**

*3.6 A maximum of three students may be nominated from Year 11 and one from Sixth Form to attend the meetings of the SACRE. The student representatives may participate fully in the discussions of the SACRE but may not vote.*

*3.7 Student representatives may remain on the SACRE for a maximum of two years, provided they still attend school. Student representatives may resign at any time and may be removed by the representative committees of the SACRE at any time.*

## **Local Authority Representation (other than that on Committee D)**

3.8 A Lead Officer (LO), preferably with responsibility for RE, shall attend the meetings of the SACRE in an advisory capacity. The LO may participate fully in the discussions of the SACRE but may not vote. The SACRE reserves the right to replace the LO with an experienced teacher of RE to act in an advisory capacity.

3.9 The Clerk to the SACRE shall be provided by the Democratic Services Section, Corporate Services Department, Darlington Borough Council.

## **Additional Information Relating to Membership of the SACRE**

4.1 Before appointing a person to represent a religion, denomination or association on Committees A, B or C, the local authority shall consult locally and take all reasonable steps to assure themselves that he/she is representative of the religion, denomination or association in question.

4.2 A representative of a religion, denomination or association may be removed from membership of the SACRE if, in the opinion of the local authority, he/she ceases to be representative of the religion, denomination or association he/she was appointed to represent.

4.3 A representative of a religion, denomination or association shall hold office for four years. An outgoing representative of a religion, denomination or association may be re-appointed.

4.4 Any representative of the four committees may at any time resign her/his office. A representative replacing an existing representative on Committees A, B or C shall hold office for four years from the date of appointment.

4.5 It is appreciated that elected members who are Committee D representatives shall remain representatives for as long as their unique circumstances allow, but shall, under normal circumstances, hold office for a minimum of one year and a maximum of four years. An outgoing representative of Committee D may be re-appointed.

4.6 Where a representative fails to attend three consecutive meetings of the SACRE, and is not represented at any of the three meetings by a named substitute in accordance with 3.5 above, he/she shall cease to be a member of the SACRE and shall not be eligible for re-appointment for a further period of three meetings. The nominating body shall be invited to nominate another representative provided that:

(a) the Clerk to the SACRE has advised the representative in writing of the provision of this clause within a fortnight of the second missed meeting, and at least a fortnight before the third missed meeting;

(b) the SACRE does not decide to waive this rule for reasons of extenuating circumstances.

### **The Chair and the Vice-Chair**

***4.7 The SACRE shall appoint a Chair and a Vice-Chair from among the committee representatives and their terms of office shall be three years. An outgoing Chair or Vice-Chair may be re-elected.***

4.8 In the event of more than one committee representative being nominated for the role of Chair or Vice-Chair, an election shall be held. Those entitled to vote are the representatives of Committees A, B, C and D. Each representative shall have one vote. A simple majority will decide who is to be elected Chair or Vice-Chair.

4.9 The Chair shall preside at meetings of the SACRE. The Vice-Chair shall preside at meetings of the SACRE during the absence of the Chair. In the absence of both the Chair and the Vice-Chair at a meeting of the SACRE, the SACRE shall elect one of their number who is a member of Committees A, B, C or D to preside at the meeting during such absence.

### **Persons who are Ineligible to be Committee Representatives, Substitute Representatives or Co-opted Members of the SACRE**

4.10 Committees A, B, C and D representatives, substitute representatives and co-opted members must be at least 18 years of age, ***except for students in local authority schools who, because of the nature of their education, have not yet reached the age of 18 years.***

4.11 A person shall be disqualified from holding, or continuing to hold, office as a committee representative, substitute representative or co-opted member of the SACRE if, within five years before her/his appointment would otherwise have taken effect, or since her/his appointment, he/she has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on her or him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine. Where, by virtue of this paragraph, a person becomes disqualified from holding office as a committee representative, substitute representative or co-opted member of the SACRE, that person shall give notice of the fact to the Clerk to the SACRE.

### **The SACRE Sub-Groups**

***5.1 In order to more efficiently conduct its business, the SACRE may convene a SACRE sub-group. The SACRE will give such a sub-group a specific task or tasks to address and a time scale in which to complete its deliberations. Once its task or tasks are complete, the sub-group will bring the results of its deliberations to the SACRE. The SACRE will discuss the merits of the sub-group's deliberations and either accept fully, accept partially or reject in full the outcomes.***

***5.2 Any sub-group formed by the SACRE shall include committee representatives and/or co-opted members of the SACRE. However, should it feel it will be helpful, the SACRE shall***

*invite other persons to join the sub-group if their knowledge, skills and/or understanding are deemed relevant to the task or tasks in hand.*

## **How the SACRE Conducts its Business**

6.1 The SACRE shall meet not less than once each school term.

6.2 The quorum for a meeting of the SACRE shall be not less than one member of each of the four representative committees.

6.3 The quorum for a meeting of a representative committee shall be not less than one member of the committee in question.

*6.4 If within a period of thirty minutes after the time fixed for the start of the meeting of the SACRE a quorum is not present, the meeting shall not be held. If, during the course of a meeting, a quorum is no longer present, the meeting shall be terminated. However, those present or remaining may decide to remain to discuss matters relating to the agenda, on the understanding that no decisions can be reached on the SACRE's behalf due to a quorum not being present.*

*6.5 If a meeting is not held or is terminated before all the proposed business has been transacted, a further meeting shall be convened as soon as is reasonably practicable. A meeting of the SACRE shall be convened by the Clerk to the SACRE after consultation with the Chair, but the Clerk to the SACRE will comply with any direction given by the SACRE at the previous meeting, or with any direction given by the Chair, or, in her/his absence, the Vice-Chair of the SACRE.*

6.6 Other than in the most exceptional circumstances, and with the prior agreement of the Chair, every member of the SACRE shall be given, not less than seven clear days before the date of the meeting, written notice of the meeting signed by the Clerk to the SACRE. Such written notice will include the agenda and all relevant reports or papers required for business within the meeting to be undertaken efficiently.

6.7 No issue shall be discussed at the meeting of the SACRE unless notice of the intention to discuss that issue is given in the agenda for the meeting. Any SACRE committee representative or co-opted member can at any meeting of the SACRE propose agenda items for the next or a future meeting.

## **Voting Arrangements**

7.1 On any question to be decided by the SACRE, only the representative committees on the SACRE shall be entitled to vote. Each representative committee has a single vote. Decisions within each committee on how their vote shall be cast in the full SACRE meeting shall be determined by a simple majority. Each member of the representative committee shall be entitled to one vote when such decisions are reached. In the event of a tied vote, the representative committee concerned shall abstain from voting in the full SACRE meeting.

7.2 Should it be necessary, a finite amount of time, agreed by the SACRE and granted during the SACRE meeting itself, shall be allocated to the representative committees to decide how they will cast their vote. Where it is known in advance that a vote will, or is likely to, be taken at the



forthcoming SACRE meeting, the representative committees may wish to meet prior to the full SACRE meeting itself to discuss how they will cast their vote.

7.3 When the SACRE as a whole votes, decisions shall be determined by a simple majority. In the case of a tied vote, the Chair shall have a second, or casting, vote.

7.4 Committees A, B and C shall be entitled to vote on and require the SACRE to carry out a review of the existing Agreed Syllabus for RE. Each of the three committees shall have one vote on the question of whether to require such a review.

### **Public and Media Attendance at the Meetings of the SACRE**

8.1 The meetings of the SACRE shall be open to members of the public and duly accredited representatives of the news media. Members of the public and representatives of the news media can attend as observers, not as participants in the discussions or proceedings. The attendance of the public and representatives of the news media at meetings of the SACRE are subject to the Religious Education (Meetings of Local Conferences and Councils) Regulations 1994.

8.2 Public notice of the time and the place of any meeting of the SACRE shall be given by posting it in a prominent position in the Town Hall, easily accessible to the public, at least three clear days before the meeting. Copies of the agenda and all relevant reports or papers for the meeting of the SACRE shall be available for inspection by members of the public at least three clear days before the meeting.

8.3 Copies of agendas, reports, papers and minutes shall be available for inspection by members of the public after a meeting of the SACRE until the expiration of six years beginning with the date of the meeting. All such documents will be kept in the Town Hall, from where they will be made available to the public on request.

### **The Validity of Proceedings of the SACRE**

9.1 The validity of proceedings of the SACRE shall not be affected:

(a) by a vacancy in the office of any committee representative of the SACRE required by 3.1 above;

(b) on the grounds that a committee representative of the SACRE appointed to represent any religion, denomination or association does not at the time of the proceedings represent the religion, denomination or association in question;

(c) by reason of an individual SACRE member not having received written notice of a meeting or a copy of the agenda;

(d) by the failure of any representative committee to agree on how its vote shall be cast on any particular issue before the SACRE.

## **Making Alterations to/Amending the Constitution.**

10.1 This Constitution was adopted as the Constitution of the Darlington Borough Council Standing Advisory Council on Religious Education at a meeting duly convened at:

on:

10.2 These arrangements may not be amended so as to make them inconsistent with the 1996 legislative requirements.

10.3 To the extent that these arrangements may be amended, they may only be amended by a decision of the SACRE.

10.4 In order to ensure a consistent approach to meetings, and that changes to these arrangements are not made without full notice and proper consideration of the implications of any proposed change, any change shall only be made as follows:

(a) only a representative committee may propose a change to these arrangements;

(b) any appropriate proposal to change these arrangements shall be submitted in writing to the Clerk to the SACRE for inclusion on the agenda of the next AGM of the SACRE, the proposal to include both the form of words suggested for inclusion in these arrangements and a statement of the objective to be achieved by the proposed change;

(c) the SACRE shall then, at the AGM, convene a SACRE sub-group to consider the merits of the proposed change to the existing arrangements. The sub-group will meet and decide on the merits of the proposed change. The sub-group will bring a summary of its deliberations to the next full meeting of the SACRE and the SACRE will decide on what action, if any, to take.

**Additional Information about the SACRE Annual Report**

11.1 The annual report of the SACRE shall in particular:

- (a) specify any matters in respect of which the SACRE has given advice to the local authority;
- (b) broadly describe the nature of the advice given;
- (c) where any such matter was not referred to the SACRE by the local authority, give the SACRE's reason or reasons for offering advice on the matter;
- (d) reflect on the quality, etc. of RE and collective worship provided in Darlington Borough Council's schools, especially its community schools (as, for example, revealed in Ofsted reports and public exam results at GCSE and A Level).

**Additional Information about the Agreed Syllabus Conference**

11.2 For the purpose of preparing an Agreed Syllabus for RE, the local authority must convene an Agreed Syllabus Conference. An Agreed Syllabus Conference is a separate legal entity from the SACRE and, although common membership is permissible, it must be separately convened.

11.3 The role of the Agreed Syllabus Conference is to produce and recommend an Agreed Syllabus for RE which meets fully the present legislative requirements and is educationally sound. The task of producing a syllabus cannot be delegated except to a sub-group which must include at least one member of each of the representative committees constituting the SACRE. This does not prevent an Agreed Syllabus Conference receiving advice or comment from outside groups or individuals. Only an Agreed Syllabus Conference may recommend an Agreed Syllabus for RE, and its recommendation must be unanimously agreed by the representative committees constituting the Agreed Syllabus Conference.