

What about Humanists as co-opted members of a SACRE / ASC?

37. Hitherto, many SACREs have appointed humanists as co-opted members, rather than members of a specific group. Provisions for this are set out in S.390(6) and 392(5) of the 1996 Act. Co-opting a humanist reflects a previous misunderstanding of the law that the existing statutory group structure does not provide a logical place for humanists to be represented, because it is not a religion, and neither is the representative speaking on behalf of teachers or the local authority. Co-opted members do not have voting rights.

38. The Bowen judgment confirms that it is instead invariably appropriate to appoint humanist representatives to group A of the SACRE. As such, any humanist who is currently co-opted to their SACRE, who subsequently applies to become a member of group A, should now be accepted as a member of that group. The local authority will be acting in an unlawful manner if such an application is refused. Indeed, to ensure that the SACRE is properly representative, LAs where the humanist representative is a co-opted rather than a full member should seek to update their constitution to allow for full membership of group A at their earliest convenience.