

HAMPSHIRE COUNTY COUNCIL

Report

Committee/Panel:	SACRE
Date:	21 February 2012
Title:	SACRE - Membership of Group A
Reference:	3680
Report From:	Director of Children's Services

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1. Summary

1.1. The purpose of this paper is to inform SACRE of the discussions that have taken place during the meeting of the SACRE membership sub-group. The group was convened on SACRE's behalf to pursue the issues about the criteria for membership of Group A of SACRE and to consider any necessary changes to the constitution.

2. Contextual information

2.1. This paper supports the Corporate Strategy (maximising well being) by ensuring children's provision in religious education is secure.

2.2. The sub-group met for the third occasion on 23 January 2012.

3. Other key issues

3.1. Following SACRE members' advice at the previous SACRE meeting (8 November 2011) a county solicitor attended the sub-group meeting in order to fully discuss and advise about issues concerning the legal framework for membership of SACRE .

3.2 A Summary of the meeting held on 23 January 2012

- Keri Tayler from Hampshire Legal Services advised that she would need time to fully investigate the questions posed by SACRE and the papers from the British Humanist Association. She would inform SACRE of her advice shortly. She indicated that her final advice would encompass other groups, not just Humanists, who might request admission to SACRE's Group A.

- She informed the members that while the Authority appointed groups, it was on the advice of SACRE. Members were told that there would be a risk to SACRE if it was not legally constituted – the Authority would be able to disregard or challenge its advice and SACRE could even be taken to judicial review. Members agreed that it was important to maintain the current harmonious relationship between the Authority and SACRE, She explained that SACRE could change its constitution, with ratification by the Authority, and that the Authority could not veto any changes; the constitution would, however, need to remain lawful. She indicated that her initial opinion as to whether non-theistic members could be allowed the vote was a negative one.
- It was pointed out that the wording of the 2010 Non-Statutory Guidance for RE did not acknowledge that the law had not changed and that it was at odds with the law as it currently stands. It was reiterated that only the Department for Education (DfE) and the Secretary of State could change this, and it was not the job of the Authority to canvas for this.
- The Chairman of the sub-group suggested that membership of Group A could be divided into 2 groups, one for those beliefs that are taught in the Agreed Syllabus and one for those not required to be taught; each group would have half a vote, with a casting vote from the former of the groups. After discussion this proposal was rejected.
- Members of the group discussed the issues carefully and bring two recommendations to SACRE for consideration and ratification.

4. Recommendation

That SACRE considers the following proposals from the membership group.

That:

- The following process be used in the event of a new group asking to join SACRE - that the Chairman of SACRE would convene an ad hoc group from among SACRE members to interview representatives of the group and to determine whether that group should be represented, a recommendation would then be brought to SACRE, and finally SACRE's recommendation would be sent for ratification by the Executive Lead Member for Children's Services.
- following final legal advice, now received from Hampshire Legal Services (appendix 1), a recommendation is made to SACRE regarding the inclusion of non-theistic members on Group A as voting members, that SACRE maintains the status quo within the SACRE constitution.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None